

PLANNING COMMISSION

MEETING OF

JULY 26, 2001

City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

**5:30
PM**

COMMISSIONERS BRIEFING:

PRESENT:

Craig Galati - Chairman
Richard Truesdell - Vice Chairman
Michael Buckley
Byron Goynes
Laura McSwain
Stephen Quinn

One Seat Vacant

STAFF PRESENT:

Robert Genzer - Planning & Development Dept.
Chris Knight - Planning & Development Dept.
Chris Glore - Planning & Development Dept.
Joel McCulloch - Planning & Development Dept.
Laura Martin - Planning & Development Dept.
Gary Leobold - Planning & Development Dept.
Scott Albright - Planning & Development Dept.
Kyle Walton - Planning & Development Dept.
Daphnee Legarza - Public Works
Rick Schroder - Public Works
Bryan Scott - City Attorney's Office
Gabriela Portillo-Brenner - City Clerk's Office
Linda Owens - City Clerk's Office

Joel McCulloch, Planning and Development Department, called the Briefing to order at 5:34 P.M.

Item No. A-3, A-0045-01(A):

Mr. McCulloch said the applicant has requested this item be held in abeyance until the August 23, 2001 Planning Commission meeting to be able to attend the meeting.

Item No. A-4, A-0047-01(A):

Mr. McCulloch requested this item be pulled from the Consent agenda so that the site plan issues can be discussed.

Item No. B-2, V-0033-01:

Mr. McCulloch advised that staff is recommending denial of this item based on the lack of a physical hardship. This was held from the last meeting because the homeowners association thought this should be denied.

Item No. B-3, V-0036-01:

Mr. McCulloch announced that staff is requesting this item be held in abeyance indefinitely in order for the applicant to provide staff with required documents.

Item No. B-4, U-0067-01:

Mr. McCulloch noted that there has been substantial opposition from the neighborhood.

Item No. B-5, GPA-0029-01:

Mr. McCulloch said staff is requesting this item be held in abeyance until the August 9, 2001 Planning Commission meeting so that this item can be heard with several related items.

Item No. B-6, GPA-0020-01:

Mr. McCulloch said staff is recommending denial of SC, but approval of MLA with a Text Amendment to allow minor commercial activity in conjunction with the assisted living. This property was annexed from the County.

Item Nos. B-11, V-0054-01, and B-12, Z-0049-01(1):

Mr. McCulloch stated that staff is requesting these items be held in abeyance until the August 9, 2001 Planning Commission meeting in order to give staff sufficient time to review revised site plans. However, the General Plan Amendment and rezoning can proceed.

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COMMISSIONERS BRIEFING:

Item Nos. B-17, Z-0054-01, and B-18, Z-0054-01(1):

Mr. McCulloch noted that staff is requesting these items be held in abeyance until the August 23, 2001 Planning Commission meeting in order to properly notify the items. They can be fast tracked to the City Council.

Item Nos. B-21, GPA-0027-01, and B-22, Z-0046-01:

Mr. McCulloch said that on July 26, 2001 the applicant requested this item be held in abeyance until the August 9, 2001 Planning Commission meeting in order to meet with his councilman. Staff would prefer these items be held until the August 23, 2001 meeting.

Item Nos. B-27, Z-0050-01, B-28, V-0055-01, and B-29, Z-0050-01(1):

Mr. McCulloch noted that on July 26, 2001 the applicant requested these items be held in abeyance until the August 23, 2001 Planning Commission meeting in order to hold a neighborhood meeting.

Item No. B-32, V-0046-01:

Mr. McCulloch said staff is recommending denial based on the lack of physical hardship. They need a Variance because this building is taller than 35 feet.

Item No. B-34, V-0050-01:

Mr. McCulloch advised that staff is recommending denial based on the lack of a physical hardship.

Item Nos. B-35, V-0051-01, and B-36, SD-0044-01:

Mr. McCulloch said that staff is requesting these items be held in abeyance to the August 9, 2001 meeting to properly notify the items.

Item Nos. B-37, V-0053-01, and B-38, Z-0007-61(2):

Mr. McCulloch noted that staff is recommending denial based on a lack of physical hardship and a site layout that cannot be met without the Variance and denial was recommended. If the Variance is not approved, then the site plan is invalid.

Item No. B-39, U-0148-89(3):

Mr. McCulloch said staff is recommending denial based on changes in the area.

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COMMISSIONERS BRIEFING:

Item No. B-45, Z-0017-90(35):

Mr. McCulloch stated that staff is requesting abeyance to the August 9, 2001 meeting to properly notify this item.

Item No. B-47, VAC-0018-01:

Mr. McCulloch said staff is requesting this item be held in abeyance to the August 9, 2001 meeting to properly notify the item.

Item No. C-5, SD-0045-01:

Mr. McCulloch explained that staff would like to have this item held in abeyance to the August 9, 2001 meeting so the applicant can submit revised site plans and elevations.

Mr. McCulloch adjourned the Briefing at 5:55 P.M.

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ITEM

ACTION

**6:00
PM**

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

CALL TO ORDER:

6:03 P.M., Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada.

ROLL CALL:

Craig Galati	Present
Chairman	
Richard Truesdell	Present
Vice Chairman	
Michael Buckley -	Present
Byron Goynes	Present
Laura McSwain	Present
Stephen Quinn	Present

One Seat Vacant

ANNOUNCEMENT:

Satisfaction of Open Meeting Law Requirements.

This meeting has been properly noticed and posted at the following locations:

Clark County Government Center,
500 South Grand Central Parkway
Senior Citizens Center,
450 East Bonanza Road
Clark County Courthouse,
200 East Carson Avenue
Court Clerk's Office Bulletin Board,
City Hall Plaza
City Hall Plaza, Special Outside Posting
Bulletin Board

MINUTES:

Approval of the minutes of the June 28, 2001 Planning Commission meeting.

CHAIRMAN GALATI called the meeting to order at 6:03 P.M.

STAFF PRESENT:

Robert Genzer, Director,
Planning and Development Department
Chris Knight, Deputy Director,
Planning and Development Department
Chris Glore, Planning Supervisor,
Planning and Development Department
Joel McCulloch, Senior Planner,
Planning and Development Department
Laura Martin, Planner II,
Planning and Development Department
Scott Albright, Senior Planner,
Planning and Development Department
Kyle Walton, Senior Planner,
Planning and Development Department
Gary Leobold, Senior Planner,
Planning and Development Department
Jody Donahue, Planning Technician,
Planning and Development Department
Daphnee Legarza, Project Engineer,
Public Works
Rick Schroder, Project Engineer,
Public Works
Bryan Scott, Deputy City Attorney,
City Attorney's Office
Gabriela Portillo-Brenner, Deputy City Clerk,
City Clerk's Office
Linda Owens, Deputy City Clerk,
City Clerk's Office

Mr. McCulloch announced this meeting is in compliance with the Open Meeting Law.

**Truesdell -
APPROVED**

Unanimous

(Quinn abstained due to the fact he did not attend the meeting.)

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ACTION

ACTIONS:

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDAED ITEM.

PLANNING COMMISSION MEETING RULES OF CONDUCT.

CHAIRMAN GALATI indicated the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

CHAIRMAN GALATI read the statement on the order of the items and limitations on persons wishing to be heard on an item.

CHAIRMAN GALATI noted the Rules of Conduct.

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ITEM

ACTION

A.

CONSENT ITEMS:

CONSENT ITEMS ARE CONSIDERED ROUTINE BY THE PLANNING COMMISSION AND MAY BE ENACTED BY ONE MOTION. HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COMMISSION MEMBER OR APPLICANT SO DESIRES.

A-1.

ABEYANCE - A-0039-01(A) - VISTA POINTE PLAZA, LIMITED LIABILITY COMPANY

Petition to Annex 0.92 acre of land of property generally located on the northeast corner of Ann Road and Rio Vista Street (APN: 125-27-802-011), Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

CHAIRMAN GALATI stated the Consent items may be discussed if a Commission Member or Applicant so desires.

Quinn -

APPROVED ITEM NOS. A-1, A-2 AND A-5, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Buckley abstaining on Item No. A-2 inasmuch as he represents a client that has property near this location, and Truesdell abstaining on Item Nos. A-1 and A-2 inasmuch as he has business relationships in the area

(One Seat Vacant)

CHAIRMAN GALATI stated this is a Consent item. He would like to have Item No. A-4 pulled off the Consent portion of the agenda and discussed separately.

To be forwarded to the City Council in Ordinance form.

(6:32 - 6:34) 1 - 954

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ITEM

ACTION

A-2.

TM-0030-00(1) - CHEYENNE/BELTWAY (A COMMERCIAL SUBDIVISION) - SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY

Request for an Extension of Time on approved Tentative Map for two lots on 13.5 acres on the northwest corner of the intersection of Cheyenne Avenue and the proposed Western Beltway, U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Tentative Map will expire on July 27, 2002.
2. Conformance to all Conditions of Approval of the original Tentative Map (TM-0030-00) and all other subsequent site-related actions.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Quinn -

APPROVED ITEM NOS. A-1, A-2 AND A-5, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Buckley abstaining on Item No. A-2 inasmuch as he represents a client that has property near this location, and Truesdell abstaining on Item Nos. A-1 and A-2 inasmuch as he has business relationships in the area

(One Seat Vacant)

CHAIRMAN GALATI stated this is a Consent item. He would like to have Item No. A-4 pulled off the Consent portion of the agenda and discussed separately.

This is final action.

(6:32 - 6:34) 1 - 954

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ACTION

A-3.

A-0045-01(A) - GLEN HICKEY

Petition to Annex 0.5 acre of property generally located on the south side of Haley Avenue, approximately 160 feet west of Tenaya Way (APN: 125-22-203-002), Ward 6 (Mack).

ON JULY 23, 2001 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE AUGUST 23, 2001 PLANNING COMMISSION MEETING.

Truesdell -

ABEYANCE TO THE AUGUST 23, 2001 PLANNING COMMISSION MEETING.

**Unanimous
(One Seat Vacant)**

MR. McCULLOCH, Planning and Development, stated that on July 23, 2001 the applicant requested this item be held in abeyance to the August 23, 2001 meeting so he could attend.

To be heard by the Planning Commission on August 23, 2001.

(6:06 - 6:07) 1 - 115

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ITEM

ACTION

A-4.

A-0047-01(A) - H-FACTOR

Petition to Annex 2.26 acres of property generally located on the east side of Durango Drive, approximately 340 feet south of Racel Street (APN: 125-09-401-003), Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

**Truesdell -
APPROVED
Unanimous
(One Seat Vacant)**

JOEL McCULLOCH, Planning and Development, stated this property is currently undeveloped. The proposed use is for a 14,000 square foot day care center. A Special Use Permit to allow this facility was approved by Clark County on April 19, 2001. Conditions of Approval for the Special Use Permit include intense landscape buffering along the north, south and east property lines, as well as a condition to maintain a residential appearance. The parcel is in an area the City considered appropriate for annexation and that it meets the requirements of N.R.S. 268.580 No. 2(b), which states, "Not less than one eighth of the aggregate external boundaries must be contiguous with the boundaries of the Annexing city." The County zoning is R-E (Rural Estates). The City equivalent is U (Undeveloped) [PCD (Planned Community Development) General Plan designation]. Upon development, appropriate right-of-way dedications, street improvements, drainage plan/studies and traffic mitigation commitments will be required. The City has not been able to review the site plan.

BOBBY LEWIS, Carter-Burgess, 6655 Burmuda Road, appeared to represent the applicant. This project has been through the County process. They want to hook up to City services. A part of that involves annexing into the city. They are willing to come back to have staff, Planning Commission and City Council review it.

COMMISSIONER TRUESDELL made a recommendation that the applicant submit their site plan for review.

To be forwarded to the City Council in Ordinance form.

(6:34 - 6:37) 1 - 1024

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ITEM

ACTION

A-5.

A-0048-01(A) - FIONA ROBERTS AND CARL PAPPALARDO

Petition to Annex 2.5 acres of property generally located at the intersection of Julian Road and Hickam Avenue (APN: 138-05-801-006), Ward 4 (Brown).

STAFF RECOMMENDATION: APPROVAL

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Quinn -

APPROVED ITEM NOS. A-1, A-2 AND A-5, SUBJECT TO STAFF'S CONDITIONS.

**Motion carried with Buckley abstaining on Item No. A-2 inasmuch as he represents a client that has property near this location, and Truesdell abstaining on Item Nos. A-1 and A-2 inasmuch as he has business relationships in the area
(One Seat Vacant)**

CHAIRMAN GALATI stated this is a Consent item. He would like to have Item No. A-4 pulled off the Consent portion of the agenda and discussed separately.

To be forwarded to the City Council in Ordinance form.

(6:32 - 6:34) 1 - 954

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ACTION

B.

PUBLIC HEARING ITEMS:

B-1.

TA-0017-01 - CITY OF LAS VEGAS

Discussion and possible action to amend the Town Center Development Standards to add development standards for the residential land use classifications permitted in the Town Center, add new residential street cross sections and modify Map 4A "Town Center Street Classifications", and allow Pubs, Bars, & Lounges (Taverns, etc.) as a Special Use Permit in the SC-TC district. Ward 6 (Mack).

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 1 Speaker

PROTESTS 1
1 Letter

CONCERNS 2 Speakers

STAFF RECOMMENDATION: It is recommended that the revised Town Center Development Standards be amended as follows:

Planning and Development

1. The standards pertaining to residential areas should be added to the Town Center Development Standards.
2. Street cross sections designs should be added to unify the streets of the residential areas with those of the commercial.
3. Add a residential supportive street system to Map 4A, "Town Center Street Classifications".
4. Modify the Land Use Table to allow Pubs, Bars, and Lounges (Taverns, etc.) in Town Center Service Commercial (TC-SC).

Buckley -

ABEYANCE TO THE AUGUST 9, 2001 PLANNING COMMISSION MEETING.

**Unanimous
(One Seat Vacant)**

CHRIS KNIGHT, Planning and Development, said that in April of this year the City adopted a General Plan Amendment that put land use designations in Town Center for residential development. Prior to that time there had been no residential land use designations in Town Center. The area where these land use designations were implemented was in the expansion areas that were identified for Town Center. That was done as a result of the acquisition of properties by private developers that have purchased land in the expansion area and were ready to build residential.

One of the issues that came forward out of that was the need for rooftop development to support the commercial development in Town Center.

Therefore, the General Plan was done and the Town Center was amended showing residential land uses. At that time staff suggested just amending the Centennial Hills Sector Plan and not putting these land uses in Town Center, just have them be a part of the General Plan.

The concern that was expressed by the residents and the City Councilman's Office was that they wanted this development to occur in the Town Center developments. As a result of that General Plan Amendment the development standards were reviewed and it was discovered there were no residential development standards.

One of the things that makes Town Center unique is the landscaping, streetscapes and signage. Staff began to compile development standards for residential development so those were the areas that were the focus.

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TA-0017-01 - CITY OF LAS VEGAS

Staff has met with the Southern Nevada Homebuilders Association and private developers. There are two subdivisions that have been approved by the Planning Commission and are going forward to the City Council that comply with the recommended standards. In addition, staff has met with the Citizens Advisory Team for Ward 6 and received their support.

The Southern Nevada Homebuilders Association have expressed opposition to these standards as follows:

1. *Eliminates amenities such as cul-de-sacs, gated communities, and perimeter walls.* One of the issues in creating Town Center was continuity of subdivisions. There are a lot of areas in the northwest, primarily the Planned Development areas in the Centennial Hills Sector, plus other areas in the City that will allow gated communities.

2. *Dictating one street width and location of driveways, garages, provides no design flexibilities and creates neighborhoods with little individuality.* The City has tried to narrow the streets in the internal portion of the subdivisions so that there are homes that are oriented to the street, inner activity in those neighborhoods, and create a sense of neighborhood.

3. *Amenity zones place significant cost burden on private property owners.* There is an amenity zone that is required from back of curb to sidewalk in Town Center and the commercial areas, which has been brought forward into the residential areas. That is an identifier for Town Center.

4. *Traffic circulation requirements will be difficult to achieve.* The arterial streets are to be kept at the regular arterial widths and the collector streets at widths to discourage drive-through traffic while preserving accessibility.

KYLE WALTON, Planning and Development, noted that the commercial standards have been adopted by the Planning Commission and are at the City Council level. A few more streets have been added: a Town Center residential street and a Town Center collector street. The intent is to have them more of a neighborhood type street. There will also be landscape corridors. There are details as to how the entrance to the subdivisions will work. Houses will be put on 80-foot wide streets. Another detail that has been added is different type walls. There is a condition allowing taverns and bars on property of 50 acres or greater.

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TA-0017-01 - CITY OF LAS VEGAS

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, said he agrees with the object of Town Center, but is concerned that it will not be monitored. He felt there will not be enough space to park a car in the driveway and then they will be parking in the street which will hinder emergency vehicles.

CHAIRMAN GALATI added that the Planning Commission has not approved any setbacks. Secondly, the actual setback is from the back of the sidewalk, not the street width.

STEPHEN REILLY, Elkhorn Springs, 7000 Steeple Court, said he was concerned about allowing pubs, bars and taverns in Service Commercial. That might be opening the door in other parts of Service Commercial that are smaller than 50 acres. He was fearful this is being amended so that Centennial Center can have taverns. In the future there is a possibility that the homes in Elkhorn Springs that back to Service Commercial will have a pub or tavern behind them. He also asked if an applicant wanted to have a tavern in Service Commercial under 50 acres whether they would have to go through a General Plan Amendment.

LOUISE RUSKAMP, 8500 Log Cabin Way, spoke of an article pertaining to urban sprawl, which says it is tolerable to many because it is familiar. She does not feel urban sprawl will be familiar in Town Center because it will not have gated communities and walled canyon streets. Houses oriented to the streets create a sense of neighborhood. A lot of the garages will be in the back of the house. She objected to the Service Commercial addition of taverns, etc.

CHAIRMAN GALATI declared the Public Hearing closed.

MR. KNIGHT thought the 50 acre requirement will curtail taverns, etc.

ROBERT GENZER, Public Works, responded that it is staff's belief that the original location of the General Commercial line, which at one time appeared to be north of Tropical, is now south, so the tavern recommended for approval by the Planning Commission is in General Commercial. This amendment has no connection with that tavern.

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TA-0017-01 - CITY OF LAS VEGAS

COMMISSIONER TRUESDELL asked why the residential collector streets are at 80 feet. MR. WALTON answered that vehicles will be parking on those streets. The amount of drivable space is less than 80 feet. COMMISSIONER TRUESDELL wondered if there could be another lane of traffic in the future by having that type of design standard. MR. KNIGHT felt it is possible that the parking could go away if traffic volumes increased.

COMMISSIONER TRUESDELL asked if the 50 acres is gross or net acreage. MR. WALTON pointed out that in the standards it indicates "No tavern shall be located in a Service Commercial zone unless it is part of the development with an aggregate acreage exceeding 50 acres with the majority of the acreage located within a zone that allows taverns." In other words, it would be gross acreage.

COMMISSIONER TRUESDELL suggested putting Centennial Hills on the front of the booklet when they are reprinted.

CHAIRMAN GALATI thought he would be more comfortable in voting on these standards if he had reviewed them in detail.

COMMISSIONER McSWAIN felt she would like to review these amendments in more detail.

To be heard by the Planning Commission on August 9, 2001.

(6:37 - 7:08) 1 - 1138

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ITEM

ACTION

B-2.

ABEYANCE - V-0033-01 - L.C. KENNEDY

Request for a Variance TO ALLOW A 20 FOOT, SEVEN INCH REAR YARD SETBACK WHERE 35 FEET IS THE MINIMUM REAR YARD SETBACK ALLOWED; AND TO ALLOW A 15 FOOT FRONT YARD SETBACK WHERE 20 FEET IS THE MINIMUM FRONT YARD SETBACK ALLOWED at 1341 Crystal Mountain Drive (APN: 163-03-110-003), RE (Residence Estates) Zone, Ward 1 (M. McDonald).

NOTICES MAILED 71

APPROVALS 1

PROTESTS 3 [Within Notification 6/28/01 PC]

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

2. City Code requirements and design standards of all City Departments that are not affected by approval of this Variance must be satisfied.

Public Works

3. The distance from the face of the garage door to the back of sidewalk (or curb, if no sidewalk is proposed) shall be a minimum distance of 18 feet to prevent a car in the driveway from encroaching into the vehicular or pedestrian travel corridor.

4. Site Development to comply with all applicable Conditions of Approval for the Crystal Canyon subdivision and all other site-related actions.

Goynes -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Galati voting NO.

(One Seat Vacant)

JOEL McCULLOCH, Planning and Development, stated that there are no unique or extraordinary circumstances associated with this site and finds the applicant has imposed a self-imposed hardship by trying to overbuild the site.

L. C. KENNEDY, 1400 Virginia City Avenue, said the objection of the Homeowners Association is that they did not see a copy of the plans.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

DAPHNEE LEGARZA, Public Works, noted that in the application it states the reason for the request is to meet the requirements of Crystal Canyon Homeowners Association. MR. KENNEDY responded that the Homeowners Association just wanted to see the plans, which they now have.

This is final action.

(7:08 - 7:10) 1 - 2280

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ITEM

ACTION

B-3.

**ABEYANCE - V-0036-01 - BUFFALO & LAKE
MEAD BOULEVARD, LIMITED LIABILITY
COMPANY**

Request for a Variance TO ALLOW 98 PARKING SPACES WHERE 142 PARKING SPACES ARE THE MINIMUM ALLOWED FOR AN EXISTING COMMERCIAL CENTER at 7411 West Lake Mead Boulevard (APN: 138-22-302-008), C-1 (Limited Commercial) Zone, Ward 4 (Brown).

STAFF REQUESTED THAT THIS ITEM BE HELD IN ABEYANCE INDEFINITELY IN ORDER FOR THE APPLICANT TO SUBMIT THE REQUIRED APPLICATION/PETITION AND STATEMENT OF FINANCIAL INTEREST FORMS FOR THE ADJACENT PARCEL INVOLVED IN THIS REQUEST.

**Truesdell -
ABEYANCE INDEFINITELY
Unanimous
(One Seat Vacant)**

MR. McCULLOCH, Planning and Development, stated staff would like to have this item held in abeyance indefinitely in order for the applicant to submit requested information.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

(6:07 - 6:08) 1 - 130

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ITEM

ACTION

B-4.

ABEYANCE - RENOTIFICATION - U-0067-01 - FRANK NOYES ON BEHALF OF MARINA NIMALIE SENEVIRATNE

Request for a Special Use Permit FOR A CHILD CARE – GROUP HOME [RESIDENTIAL CHILD CARE FACILITY TO ENROLL A MAXIMUM OF 7 – 12 CHILDREN] at 621 Overview Drive (APN: 138-32-713-014), R-1 (Single Family Residential) Zone, Ward 2 (L.B. McDonald).

NOTICES MAILED 390 [7/26/01 PC]
 386 [6/28/01 PC]

APPROVALS 8 Speakers
 20 Letters

PROTESTS 3 [Within Notification 7/26/01 PC]
 9 [Within Notification 6/28/01 PC]
 11 Speakers
 186 Petition
 1 Letter
 25 Persons in Audience

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. Conformance to all Minimum Requirements under Title 19A.04.050 for childcare –group home (7-12 children) use.
3. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0034-81).
4. All City Code requirements and design standards of all City departments must be satisfied.

Quinn -

APPROVED, SUBJECT TO STAFF'S CONDITIONS, WITH ADDITIONAL CONDITIONS OF A ONE YEAR REVIEW, SPECIAL USE PERMIT AUTOMATICALLY EXPIRES IF PROPERTY IS TRANSFERRED, LIMITED TO CHILDREN UNDER AGE OF 6 (SIX), OPERATION LIMITED TO MONDAY THROUGH FRIDAY FROM 7:00 A.M. TO 6:00 P.M., LIMITED TO TWO CHILDREN ON SATURDAY AND SUNDAY, AND LIMITED TO 9 (NINE) CHILDREN.

Unanimous
(One Seat Vacant)

FIRST MOTION:

McSwain -

APPROVED, SUBJECT TO STAFF'S CONDITIONS, WITH ADDITIONAL CONDITIONS OF A ONE YEAR REVIEW, SPECIAL USE PERMIT AUTOMATICALLY EXPIRES IF PROPERTY IS TRANSFERRED, LIMITED TO CHILDREN UNDER AGE OF 6 (SIX), OPERATION LIMITED TO MONDAY THROUGH FRIDAY FROM 7:00 A.M. TO 6:00 P.M. AND LIMITED TO TWO CHILDREN ON SATURDAY AND SUNDAY. Motion failed with Quinn, Buckley, Galati and Truesdell voting NO.

(One Seat Vacant)

JOEL McCULLOCH, Planning and Development, stated that six children would be allowed as a permitted use and there will not be any perceivable difference of the home by allowing up to 12 children to be cared for at this location. The health, safety and welfare of the surrounding neighbors will not be negatively affected by approval of this request. Therefore, staff recommended approval, subject to the conditions.

ATTORNEY TOM AMICK, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared to represent the applicant. This property is located west of Durango and south of Alta. The applicant baby-sits infants and toddlers for parents who work during the week. The applicant has a child care license at her current facility at 6676 Lost Dutchman Drive.

She has not had any problems at her current location with nearly perfect inspections, which was confirmed with the Business License Department.

The applicant is seeking to purchase a new home at 621 Overview Drive.

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FRANK NOYES ON BEHALF OF MARINA
NIMALIE SENEVIRATNE**

Public Works

5. Coordinate with the Traffic Engineering Representative in Land Development to discuss alternative pick-up and drop-off schedules for the 7-12 children.

There are three categories in the Zoning Code:

1. Child Care/Family Home allows up to 6 children in all residential neighborhoods.
2. Child Care/Group Home allows 7 to 12 children with a Special Use Permit in R-1.
3. Child Care Center allows 12 children or more and that is a commercial use.

The children in her current facility range from 6 months to 3 years old. The hours are Monday through Friday, 7:00 A.M. to 6:00 P.M. and an occasional child on the weekends.

There will not be any signage. These facilities are not easily recognizable. This facility will not be a home for delinquent children, alcohol or drug dependency, mental illness, elderly, or social service provider. He submitted copies of letters in support of this request.

They will agree to a condition that if the applicant moves from this property the Special Use Permit would expire.

In addition, they would be willing to come back for a review in the future.

CHAIRMAN GALATI declared the Public Hearing open.

JEAN FINK, 2041 Wandering Doe Lane, appeared in approval. Her daughter attends this child care facility.

JAMES CHRISM, 300 South 4th Street, appeared in approval. The applicant takes care of his son and he is very pleased with the care she provides. Las Vegas needs more centers like this operated with people like the applicant. There is a huge shortage in the valley. When you approach the home you are unaware that there is a child care business inside. He would be happy if the applicant were his neighbor.

ROBERT ROURKE, 229 North Sutro Woods Lane, appeared in approval. The applicant takes care of his son. He would like to have the applicant as his neighbor. There is fear of the unknown.

BETTY PRADEL, 6680 Lost Dutchman Drive, has lived next door to the applicant until recently. The house and yard are well kept. The valley needs more people like the applicant.

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PENNY POLL, 8629 Skyward Court, appeared in approval. She initially misunderstood what was going to take place in the proposal. This will be an asset to the neighborhood.

SCOTT POLL, 8629 Skyward Court, appeared in approval. He was initially told this was going to be a home for delinquent children. A lot of the signatures on a petition in protest were because of misinformation. Another petition should be submitted with the facts.

ERIC PRADEL, 6680 Lost Dutchman Drive, was the applicants neighbor for five years. He never had any problems or heard any noise from this child care facility.

TED WILLIAMS, 1236 Nugget Creek Drive, appeared in approval. He has lived across from the applicant ever since she moved in. Her house and grounds are kept well and she treats the children very well. He will miss her as a neighbor.

JAMES D. SALO, 620 Hartline Drive, appeared in protest. A number of the neighbors are in opposition. **He submitted a letter in protest at the meeting.** The deed restrictions address this issue and do not allow business operations in a residential site. His property abuts to the rear of the applicant's property. He circulated a petition and did not tell anyone this would be for juvenile delinquents. He wondered what hours are correct as he thought they were extending later into the evening than indicated. Business Licenses can be expanded. Group homes drive down property values. This will create additional traffic. He would be in favor of no more than 7 children.

There were approximately 25 people in the audience in opposition.

JOSEPH BABKA, 505 Overview Drive, appeared in protest. **He submitted a petition with 105 signatures in opposition from the homeowners, as well as a copy of another petition with 81 homeowner signatures in opposition.**

ROBERT CARTOLANO, 633 Overview Drive, appeared in protest. This is a residential area. Prior to purchasing his home he investigated the surrounding zoning. He has all the commercial amenities he needs. There are several child care facilities in the area. **He submitted a list of child care facilities.**

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TULLIO MARCHIONNE, 8608 Oliver Court, appeared in protest. He is not against the character of the applicant. This will double her present business.

ROBERT ZEHM, 8609 Oliver Court, appeared in protest. He is not personally against the applicant. This will impact the neighborhood.

VIRGINIA CALAHAN, 713 Overview Drive, appeared in protest. This is a two-story house where it would be difficult to keep track of 12 children. She has a similar house and could not have 12 children in her home.

MILTON LACHER, 8616 Grand Bank, appeared in protest. He wondered if the age could be guaranteed, as well as the number of children and hours of operation. This will set a precedent. A business does not belong in a residential area. This will create a traffic problem.

NANCY JACKSON, 625 Overview Drive, appeared in protest. There is no need for a child care center in this neighborhood. With 12 children there will be a need for employees.

LYNETTE TABOR, 617 Overview Drive, appeared in approval. Initially she was concerned this would be a group home for delinquents. She wants the Special Use Permit to expire if the applicant moves from the home. There is a concern about the hours of operation. She wondered about the validity of a review. She did not feel this would create a lot of traffic.

CHERYL MILLER, 8609 Oliver Court, appeared in protest. She does not object to the character of the applicant, but to a child care center in her neighborhood. This will negatively impact the neighborhood.

FRANK PAUL, 616 Overview Drive, appeared in protest. He has never been approached by anyone to explain what is taking place in regard to this application. This is an issue of opening a business across the street from his home. His realtor informed him that when he sells his home he will have to declare that this business is across the street and then his property value will decrease. Some of the neighbors are not speaking because of this issue.

LELA DUPONT, 608 Overview Drive, appeared in protest. With 12 children this would be a business and she will need employees. This house is not adequate for so many children.

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CHAIRMAN GALATI declared the Public Hearing closed.

ATTORNEY AMICK appeared in rebuttal. Most of the children will be under the age of two. Many facilities don't take children that young. Parents of children that young want them to be in a home environment. The pool will be completely enclosed. The pick-up and drop-off times are staggered. This will not devalue property values as these facilities are compatible within residential neighborhoods.

COMMISSIONER BUCKLEY commented that this will increase traffic. There should be a review period. Perhaps this could be approved for less than 12 children. This will not affect the neighbors rights under their CC&R's. Lastly, he was disappointed that the neighbors across the street have not been informed of this request.

COMMISSIONER McSWAIN said she visited this property. There is a pride of ownership in this neighborhood and the applicant would be a good neighbor. The applicant told her that she would be willing to limit the permit to only allow children under six years of age.

ATTORNEY AMICK responded that the applicant would be willing to accept a condition to only accept children under the age of six. He was unaware of the licensing requirement to have an employee with more than six children. If that is a requirement and she has more than six children she will have to abide by it.

COMMISSIONER TRUESDELL thought there are concerns if this facility goes from 6 to 12 children. He added that he is on the Board of Directors for Meadows School, which has a pre-school, but he did not feel that would affect his ability to vote on this item. However, he has done research on pre-school children and a residential care environment is needed in this community. There are a lot of day care facilities that will not accept children under the age of three, so those children don't get a consistent environment when their parents are employed. He has been a realtor and has never seen where property values have been devalued because of child care businesses. A difference in traffic will not be noticeable if this is operated from 7:00 A.M. to 6:00 P.M. This belongs in a neighborhood. The applicant should agree to certain hours, limit the number of children, remove the Special Use Permit if the property is sold, and have a review period.

CHAIRMAN GALATI asked the process of a one-year review.

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CHRIS GLORE said that a one year review is typically noticed in the same way that the original application was noticed. The neighbors have an opportunity to attend a public hearing. It is automatically placed on the agenda, which has been tracked by the Agenda Techs. A one-year review is typically associated with an application of a commercial nature. The Planning and Development Department checks with Metro to see if there has been any criminal activity in the area and Business Licensing, depending on the type of review required, to determine if there have been any complaints or inspection violations.

CHAIRMAN GALATI asked whether a condition can be enforced whereby the Special Use Permit terminates if the applicant moves from the property. DEPUTY CITY ATTORNEY SCOTT said that would be enforceable.

CHAIRMAN GALATI felt there should be an elimination of a weekend operation. He also thought the number of children should be limited.

ATTORNEY AMICK said the primary hours of operation will be Monday through Friday, 7:00 A.M. to 6:00 P.M. In regard to the weekend operation, it is extremely rare and only involves one or two children. He did not want to commit to the number of children. She has a husband and teenage daughter that help her with this child care business.

COMMISSIONER BUCKLEY commented that if this application is denied the applicant could still take care of 6 children.

COMMISSIONER McSWAIN said she will support COMMISSIONER QUINN'S motion because she does not want to deny the applicant's child care facility.

COMMISSIONER QUINN noted that there will be a one year review so if there are problems this could be denied at that time.

ROBERT GENZER, Planning and Development, asked ATTORNEY AMICK if he would be willing to have this item on the September 19, 2001 City Council agenda at 4:00 P.M. rather than the September 5, 2001 agenda so a neighborhood meeting can be held. ATTORNEY AMICK agreed to the September 19, 2001 meeting.

To be heard by the City Council on September 19, 2001.

(7:10 - 8:19) 1 - 2460 - RECESS

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ITEM

ACTION

B-5.

**GPA-0029-01 - PARKWAY V, LIMITED
LIABILITY COMPANY, ET AL**

Request to Amend the General Plan of the City of Las Vegas to modify the text of the City of Las Vegas 2020 Master Plan and City of Las Vegas Downtown Centennial Plan to allow Non-Restricted Gaming on certain parcels as a matter of policy.

THIS ITEM WILL BE HELD IN ABEYANCE TO THE AUGUST 9, 2001 PLANNING COMMISSION MEETING IN AN EFFORT TO PROPERLY NOTIFY THE REQUEST

**Truesdell -
ABEYANCE TO THE AUGUST 9, 2001 PLANNING
COMMISSION MEETING.**

**Unanimous
(One Seat Vacant)**

JOEL McCULLOCH, Planning and Development, stated staff would like to have this item held in abeyance to the August 9, 2001 Planning Commission meeting so it can be heard in conjunction with some Text Amendments that will be on that meeting.

CHAIRMAN GALATI declared the Public Hearing open.

AL GALLEGGO, Citizen of Las Vegas, advised that there is a public meeting the first of August. He wondered if that public meeting should be held after this item is approved.

MR. McCULLOCH responded that all General Plan Amendments require a neighborhood meeting.

MR. GALLEGGO thought it was more than just a neighborhood meeting.

GARY LEOBOLD, Planning and Development, explained that his division is just asking that this item be held in abeyance to the August 9, 2001 meeting. There are a number of companion items. There will be meetings scheduled quarterly.

CHRIS KNIGHT, Planning and Development, added that a public meeting has not been scheduled at this time. The public meeting is one of the reasons for a continuance of this item. He will make sure MR. GALLEGGO is invited to the public meeting.

CHAIRMAN GALATI declared the Public Hearing closed.

**To be heard by the Planning Commission on August 9,
2001.**

(6:08 - 6:11) 1 - 170

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ACTION

B-6.

**GPA-0020-01 - DEUTSCH FAMILY TRUST ON
BEHALF OF SANFORD DEUTSCH
ENTERPRISES**

Request to Amend a portion of the Southwest Sector Plan FROM: R (Rural Density Residential) TO: SC (Service Commercial) on 2.5 acres on the northeast corner of the intersection of Buffalo Drive and Buckskin Avenue (APN: 138-10-301-010), Ward 4 (Brown).

NOTICES MAILED 141

APPROVALS 0

PROTESTS 3 Speakers

STAFF RECOMMENDATION: APPROVAL, if the request is amended to Medium Low Attached from the requested Service Commercial.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH APPLICATION AMENDED TO MLA (MEDIUM LOW ATTACHED RESIDENTIAL).

**Unanimous
(One Seat Vacant)**

GARY LEOBOLD, Planning and Development, stated that Section 19A.18.030 (i) of the City of Las Vegas Zoning Ordinance requires four conditions to be met in order to justify a General Plan Amendment. Not all of those conditions are being met in this application. Therefore, staff does not support this application. Staff is willing to support an amended application to MLA (Medium Low Attached Residential). That will allow the applicant to subsequently apply for a zone change to a residential district that allows assisted living apartments. The use of R-2 (Medium Low Density Residential) district is recommended, if the applicant would like to have a very limited commercial component in the building intended to serve only the residents in the building with no exterior signage. Staff would be willing to consider an application for a Text change to Title 19A to allow for such uses that conform to conditions within an assisted living apartment development through a Special Use Permit. The applicant held the required neighborhood meeting on July 24, 2001 at the Rainbow Library with 10 residents in attendance. Most of them had objections relating to height, appearance of development and use. Staff recommended approval of MLA (Medium Low Attached) residential development.

ATTORNEY PAUL LARSEN, Lionel Sawyer & Collins, 300 South 4th Street, #1700, appeared to represent the applicant. They are willing to amend this proposal to MLA rather than SC. They originally applied for SC because that was approved as a Use Permit application in Clark County. It was brought to the City as an annexation. Water and sewer will have to come from the City. They had initially intended to apply for a Special Use Permit, not a General Plan Amendment. However, they are willing to amend their request to MLA. They intend to file an application for a Zone change and Special Use Permit as an MLA designation in the next couple of months. At that time conditions can be imposed on this project.

CHAIRMAN GALATI declared the Public Hearing open.

RICHARD CRAFTS, 3385 Tioga Way, appeared in protest. He objected to a high density. He would prefer an office building, but not three stories.

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**GPA-0020-01 - DEUTSCH FAMILY TRUST ON
BEHALF OF SANFORD DEUTSCH
ENTERPRISES**

BRADLEY GOTHARD, 3431 North Tioga Way, appeared in protest. He was concerned about having commercial and the number of stories. He was aware this vacant property would eventually be developed.

MARY ANN GOTHARD, 3431 North Tioga Way, appeared in protest. She would like to see this property developed residential and one story.

THEODORE GABLE appeared in protest. She has two properties behind the subject property. She would rather have this property remain an R designation. The parking will be right behind her back fence.

CHAIRMAN GALATI declared the Public Hearing closed.

ATTORNEY LARSEN appeared in rebuttal. The Deutsch family has been trying to put this project together for a long time. They are not proposing a particular design at this time. Assisted living apartment complexes don't generate a lot of visitors.

JOEL McCULLOCH, Planning and Development, added that MLA allows residential projects. The highest zoning allowed is R-2, which allows by Special Use Permit, assisted living facilities. Generally they are limited to 25 beds per acre, unless a Variance is approved. Commercial activity would not be allowed, but staff is contemplating a Text Amendment that would allow ancillary commercial uses in a facility like this.

To be heard by the City Council on September 5, 2001.

(8:38 - 8:57) 2 - 1617

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ACTION

B-7.

GPA-0021-01 - IRON MOUNTAIN RANCH ALLIANCE, LIMITED LIABILITY COMPANY ON BEHALF OF KB HOME NEVADA, INC.

Request to Amend a portion of the Centennial Hills Sector Plan FROM: L (Low Density Residential) TO: ML (Medium Low Density Residential) and FROM: R (Rural Density Residential) TO: L (Low Density Residential) on approximately 120 acres south of Iron Mountain Road and west of Decatur Boulevard (APN: 125-12-603-001, 125-12-501-001, and 125-12-101-006), Ward 6 (Mack).

NOTICES MAILED 82 [Mailed with Z-0016-98(7)]

APPROVALS 0

PROTESTS 0

CONCERNS 1 Speaker

STAFF RECOMMENDATION: APPROVAL

It is the staff's recommendation that the subject request be approved. Although the proposed amendment in land use classifications is for higher densities of development, the overall density is less. The amendment complies with the conditions of Section 19A.18.030.I, as the amendment would be compatible with existing and future land uses and zoning designations.

Truesdell - DENIED

Motion for APPROVAL failed due to the lack of a super majority with Galati, Goynes, Truesdell and Quinn voting YES, Buckley abstaining due to the fact KB Home Nevada, Inc. is a client of his law firm, and McSwain abstaining due to the fact KB Home Nevada, Inc. is a client of her company. (One Seat Vacant)

DON SCHMEISER, Planning and Development, stated this is a request to amend the Lone Mountain Ranch Plan to change three tracts surrounding a school to a higher residential classification. This request is precipitated by the acquisition of a 40-acre tract located at the southwest corner of Decatur Boulevard and Iron Mountain Road. The property where a high school was to be located would have permitted 219 single-family residential lots. To offset those lots, the applicant is requesting an increased density that would allow up to 200 additional lots on the three subject tracts. A neighborhood meeting was held where there were 8 residents in attendance, but no one seemed to be opposed. Staff recommended approval.

BRIAN PSIODA, VTN Nevada, 2727 South Rainbow Boulevard, appeared to represent the applicant. There was a site for a school, but that was moved to the southeast corner of Decatur and Iron Mountain. That was favorable to the residents. Due to that change in location the applicant is requesting an increase in densities to the west and south to replace displaced lots, as well as buffer existing homes.

CHAIRMAN GALATI disclosed that the Clark County School District is a client of his architectural firm, but he did not feel he had a conflict with Items B-7 and B-8. He declared the Public Hearing open.

MARILYN WOLF, 5014 Silver Arrow Drive, Ranch Belles Verde, California, was concerned as to what is taking place in this request.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-8 for related discussion.

To be heard by the City Council on September 5, 2001.

(8:57 - 9:09) 2 - 2380

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ITEM

ACTION

B-8.

Z-0016-98(7) - IRON MOUNTAIN RANCH ALLIANCE, LIMITED LIABILITY COMPANY ON BEHALF OF KB HOME NEVADA, INC.

Request for a Major Modification to the Iron Mountain Ranch Master Plan Development Standards TO AMEND THE MAXIMUM ALLOWABLE DENSITIES IN PLAN AREAS 12, 14, 18, 19, 20, AND TO AMEND PLAN AREA 21 TO ALLOW A HIGH SCHOOL north of Whispering Sands Drive and east of Jones Boulevard (APN: 125-12-501-001, 125-12-502-001, 125-12-603-001, 125-12-202-002, 125-12-301-001, and 125-12-101-006), Ward 6 (Mack).

NOTICES MAILED 82 [Mailed with GPA-0021-01]

APPROVALS 0

PROTESTS 0

CONCERNS 1 Speaker

STAFF RECOMMENDATION: APPROVAL, subject to:

Public Works

1. An update to the previously approved Traffic Access Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Access Analysis prior to occupancy of the site.

2. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Galati, Goynes, Truesdell and Quinn voting YES, Buckley abstaining due to the fact KB Home Nevada, Inc. is a client of his law firm, and McSwain abstaining due to the fact KB Home Nevada, Inc. is a client of her company.

(One Seat Vacant)

JOEL McCULLOCH, Planning and Development, stated this is a request to modify the allowable densities on several 40 acre plots within the Iron Mountain Ranch Master Development Plan. The increased densities are necessitated by a proposed high school, which will displace approximately 219 single family lots. The common features of open space, trails and uniform development standards will not be affected negatively if this application is approved. Staff recommended approval, subject to the conditions.

BRIAN PSIODA, VTN Nevada, 2727 South Rainbow Boulevard, appeared to represent the applicant. When the application was submitted there was a mistake in that it would limit the density to 2.5 units per acre. They would like to be allowed to develop to R-PD3, which would allow up to 3.49 units per acre, or 139 lots. However, they are only going to develop 135 lots. He submitted a listing to the Clerk indicating the existing and proposed densities, etc.

CHAIRMAN GALATI declared the Public Hearing open.

MARILYN WOLF, 5014 Silver Arrow Drive, Ranch Belles Verde, California, was concerned as to what is taking place in this request.

CHAIRMAN GALATI explained that there was an Iron Mountain Ranch Master Plan and the applicant is working within that plan. This application is changing some parcels to have different densities and taking one that was to be a high school and making it homes. All the property is owned by KB Home Nevada, Inc. No rezoning is being requested. He suggested MS. WOLF meet with the applicant's representative to obtain additional information. He declared the Public Hearing closed.

To be heard by the City Council on September 5, 2001.

(8:57 - 9:09) 2 - 2380

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ACTION

B-9.

GPA-0022-01 - SANDRA NORRIS 1990 LIVING TRUST ON BEHALF OF BEAZER HOMES HOLDINGS CORPORATION

Request to Amend a portion of the Southeast Sector Plan FROM: LI/R (Light Industry/Research) TO: ML (Medium Low Density Residential) on 34.45 acres on the northwest corner of the intersection of Washington Avenue and Robin Street (APN: 139-29-612-002), Ward 5 (Weekly).

NOTICES MAILED 316 [Mailed with Z-0049-01, V-0054-01 and Z-0049-01(1)]

APPROVALS 0

PROTESTS 1 [Within Notification]

STAFF RECOMMENDATION: APPROVAL

Goynes - DENIED

Motion for APPROVAL failed due to the lack of a super majority with Galati, Goynes, Truesdell and Quinn voting YES, Buckley abstaining due to the fact Beazer Homes is a client of his law firm, and McSwain abstaining due to the fact Beazer Homes is a client of her company. (One Seat Vacant)

GARY LEOBOLD, Planning and Development, stated this is a request to amend the West Las Vegas Plan area within the Southeast Sector Plan. This property is located on the north side of Washington Avenue and west of Robin Street. Section 19A.18.030(i) of the Zoning Ordinance requires four conditions be met. All those conditions are being met. The applicant held the required meeting on July 18, 2001 at the West Las Vegas Library with approximately 20 area residents attending who generally seemed to be in favor of this request. The residents felt notification of that meeting should have extended beyond the standard notification radius, so the applicant has agreed to conduct an additional information meeting on August 14, 2001.

ROBERT LEWIS, Carter-Burgess, 6655 Bermuda Road, said they would like to proceed with these applications. They have a new plan with closing off certain streets, improved street networking, landscaping improved, amenities improved and have had good neighborhood input.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-10 for related discussion.

To be heard by the City Council on September 5, 2001.

(9:09 - 9:19) 2 - 3020

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ITEM

ACTION

B-10.

Z-0049-01 - SANDRA NORRIS 1990 LIVING TRUST ON BEHALF OF BEAZER HOMES HOLDINGS CORPORATION

Request for a Rezoning FROM: GPB (Planned Business Park) TO: RPD8 (Residential Planned Development - 8 Units Per Acre) on 34.45 acres on the northwest corner of the intersection of Washington Avenue and Robin Street (APN: 139-29-612-002), PROPOSED USE: SINGLE FAMILY RESIDENTIAL, Ward 5 (Weekly).

NOTICES MAILED 316 [Mailed with GPA-0022-01, V-0054-01 and Z-0049-01(1)]

APPROVALS 0

PROTESTS 1 [Within Notification]

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The City Council shall approve a General Plan Amendment (GPA-0022-01) to ML (Medium Low Density Residential) land use designation.

2. A Resolution of Intent with a two-year time limit.

3. A Site Development Plan Review application shall be approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Dedicate appropriate right-of-way to terminate Dune Drive adjacent to the west edge of this site in a cul-de-sac meeting current City Standards prior to the issuance of any building or grading permits for this site. Also, dedicate an additional 5 feet for a total radius of 20 feet and grant a traffic signal chord easement on the northwest corner of Robin Street and Washington Avenue.

Goynes -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Galati, Goynes, Truesdell and Quinn voting YES, Buckley abstaining due to the fact Beazer Homes is a client of his law firm, and McSwain abstaining due to the fact Beazer Homes is a client of her company. (One Seat Vacant)

JOEL McCULLOCH, Planning and Development, stated this request will further the intent of the housing objectives of the West Las Vegas Plan, which is Housing Objective One to increase home ownership and Objective Three to improve the physical appearance and livability of the residential areas. This request will provide the appropriate buffer between the commercial to the south and west and single-family homes to the east. Staff recommended approval, subject to the conditions.

ROBERT LEWIS, Carter-Burgess, 6655 Burmuda Road, said they would like to proceed with these applications. They have a new plan with closing off certain streets, improved street networking, landscaping improved, amenities improved and have had good neighborhood input.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-9 for related discussion.

To be heard by the City Council on September 5, 2001.

(9:09 - 9:19) 2 - 3020

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

Z-0049-01 - SANDRA NORRIS 1990 LIVING TRUST ON BEHALF OF BEAZER HOMES HOLDINGS CORPORATION

APPROVED

5. Construct appropriate public street improvements to terminate Dune Drive adjacent to the west edge of this site in a cul-de-sac meeting current City standards concurrent with development of this site. Also, remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

6. Meet with the City Collection Systems Planning Section of the Department of Public Works to determine how sewer services will be provided to this site; because of capacity concerns, this site shall not connect to the existing Robin Street sewer line. Site development shall comply with the recommendations of the Collection Systems Planning Section, and the developer shall construct public sewer to service this site along an alignment and to a location acceptable to the City Engineer.

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ITEM

ACTION

Z-0049-01 - SANDRA NORRIS 1990 LIVING TRUST ON BEHALF OF BEAZER HOMES HOLDINGS CORPORATION

APPROVED

7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings, or the recordation of a Final Map for this site, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

Z-0049-01 - SANDRA NORRIS 1990 LIVING TRUST ON BEHALF OF BEAZER HOMES HOLDINGS CORPORATION

APPROVED

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings, or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to contribute monies for the construction of neighborhood or local drainage improvements. The amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits or the recordation of a Final Map, whichever may occur first. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site if allowed by the Planning Engineer.

9. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

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ITEM

ACTION

B-11.

V-0054-01 - SANDRA NORRIS 1990 LIVING TRUST ON BEHALF OF BEAZER HOMES HOLDINGS CORPORATION

Request for a Variance TO ALLOW 3.49 ACRES OF OPEN SPACE WHERE 4.67 ACRES OF OPEN SPACE IS THE MINIMUM ALLOWED on the northwest corner of the intersection of Washington Avenue and Robin Street (APN: 139-29-612-002), C-PB (Planned Business Park) Zone [PROPOSED: R-PD8 (Residential Planned Development - 8 Units Per Acre], Ward 5 (Weekly).

NOTICES MAILED 316 [Mailed with GPA-0022-01, Z-0049-01, and Z-0049-01(1)]

APPROVALS 0

PROTESTS 1 [Within Notification]

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0049-01) and Site Development Plan Review [Z-0049-01(1)].

2. This Variance shall expire in two years, unless it is exercised or an Extension of Time is granted by the City Council.

Goynes -

ABEYANCE ITEM NOS. B-11 AND B-12 TO THE AUGUST 9, 2001 PLANNING COMMISSION MEETING.

Motion carried with Buckley abstaining due to the fact Beaver Homes is a client of his law firm, McSwain abstaining due to the fact Beazer Homes is a client of her company, and Quinn abstaining due to the fact this involves the Clark County School District in which he is involved in litigation.

(One Seat Vacant)

JOEL McCULLOCH, Planning and Development, stated staff would like to have Item Nos. B-11 and B-12 held in abeyance to the August 9, 2001 Planning Commission meeting in order to review proposed changes to the site plan.

ROBERT LEWIS, Carter-Burgess, 6655 Bermuda Road, appeared to represent the application. He concurred with staff to have this item held in abeyance.

CHAIRMAN GALATI declared the Public Hearing open.

ALICE WILSON, West Las Vegas Executive Board, requested Item Nos. B-9, B-10, B-11 and B-12 be held in abeyance to afford the community an opportunity to meet on this project. There was a meeting, but only a few people were informed it was being held. However, the majority of the neighbors are in support of this request. There is another meeting scheduled for August 3, 2001.

LILLIE THOMAS, 2219 Baer Avenue, also requested this item be held in abeyance until after the neighborhood meeting. All the people in the neighborhood were not notified.

CHAIRMAN GALATI declared the Public Hearing closed.

MR. LEWIS appeared in rebuttal. There is a meeting being organized by COUNCILMAN LAWRENCE WEEKLY's office for August 14, 2001. The site is still to be determined.

MR. McCULLOCH said the real issue on this project is the Site Development Plan Review.

Note: See related Item No. B-12.

To be heard by the Planning Commission on August 9, 2001.

(6:11 - 6:18) 1 - 260

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-12.

Z-0049-01(1) - SANDRA NORRIS 1990 LIVING TRUST ON BEHALF OF BEAZER HOMES HOLDINGS CORPORATION

Request for a Site Development Plan Review FOR A PROPOSED 283-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 34.45 acres on the northwest corner of the intersection of Washington Avenue and Robin Street (APN: 139-29-612-002), C-PB (Planned Business Park) Zone [PROPOSED: R-PD8 (Residential Planned Development - 8 Units Per Acre], Ward 5 (Weekly).

STAFF REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE AUGUST 9, 2001 PLANNING COMMISSION MEETING TO ALLOW STAFF TIME TO REVIEW PROPOSED CHANGES IN THE SITE PLAN.

Goynes -

ABEYANCE ITEM NOS. B-11 AND B-12 TO THE AUGUST 9, 2001 PLANNING COMMISSION MEETING.

Motion carried with Buckley abstaining due to the fact Beaver Homes is a client of his law firm, and McSwain abstaining due to the fact Beazer Homes is a client of her company.

(One Seat Vacant)

JOEL McCULLOCH, Planning and Development, stated staff would like to have Item Nos. B-11 and B-12 held in abeyance to the August 9, 2001 Planning Commission meeting in order to review proposed changes to the site plan.

ROBERT LEWIS, 6655 Bermuda Road, appeared to represent the application. He concurred with staff to have this item held in abeyance.

CHAIRMAN GALATI declared the Public Hearing open.

ALICE WILSON, West Las Vegas Executive Board, requested Item Nos. B-9, B-10, B-11 and B-12 be held in abeyance to afford the community an opportunity to meet on this project. There was a meeting, but only a few people were informed it was being held. However, the majority of the neighbors are in support of this request. There is another meeting scheduled for August 3, 2001.

LILLIE THOMAS, 2219 Baer Avenue, also requested this item be held in abeyance until after the neighborhood meeting. All the people in the neighborhood were not notified.

CHAIRMAN GALATI declared the Public Hearing closed.

MR. LEWIS appeared in rebuttal. There is a meeting being organized by COUNCILMAN LAWRENCE WEEKLY's office for August 14, 2001. The site is still to be determined.

MR. McCULLOCH said the real issue on this project is the Site Plan Review.

Note: See related Item No. B-11.

To be heard by the Planning Commission on August 9, 2001.

(6:11 - 6:18) 1 - 260

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-13.

GPA-0023-01 - IRON MOUNTAIN RANCH ALLIANCE, LIMITED LIABILITY COMPANY ON BEHALF OF THE CLARK COUNTY SCHOOL DISTRICT

Request to Amend a portion of the Centennial Hills Sector Plan FROM: L (Low Density Residential) TO: S (School) on 37.6 acres on the southwest corner of the intersection of the Iron Mountain Road and the Decatur Boulevard alignments (APN: 125-12-502-001 and a portion of 125-12-501-001), Ward 6 (Mack).

NOTICES MAILED 19 [Mailed with Z-0052-01 and Z-0052-01(1)]

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION APPROVAL

Goynes - DENIED

Motion for APPROVAL failed due to the lack of a super-majority with Buckley abstaining due to the fact Iron Mountain Ranch is involved with KB Home Nevada, Inc., a client of his law firm, Galati abstaining due to the fact the Clark County School District is a client of his architectural firm, McSwain abstaining due to the fact it involves a client of her company, and Quinn abstaining due to the fact his firm is involved in litigation with the Clark County School District.

(One Seat Vacant)

SCOTT ALBRIGHT, Planning and Development, stated that there was a typographical error in the heading of this request: It should read from *L (Low Density Residential)* to *PF (Public Facility)*. It is a request to amend a portion of the Centennial Hills Sector Plan from Low Density Residential to Public Facility. This property is located within the Iron Mountain Ranch Master Plan community. The purpose is to allow the Clark County School District to utilize this site as a high school facility. Section 19A.18.030(i) of the Zoning Ordinance requires four conditions be met in order to justify a General Plan Amendment. All four conditions are being met. The applicant has held a number of meetings with the neighbors to gather input as to the most appropriate location for a public high school. This location is a result of those meetings. Staff recommended approval.

MATT LaCROIX, Clark County School District, 4212 Eucalyptus Annex, said they are in compliance with staff's recommendations.

VICE CHAIRMAN TRUESDELL declared the Public Hearing open.

There was no one present wishing to speak on this item.

VICE CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: See Item Nos. B-14 and B-15 for related discussion.

To be heard by the City Council on September 5, 2001.

(9:19 - 9:28) 2 - 3360

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-14.

Z-0052-01 - IRON MOUNTAIN RANCH ALLIANCE, LIMITED LIABILITY COMPANY ON BEHALF OF THE CLARK COUNTY SCHOOL DISTRICT

Request for a Rezoning FROM: R-E (Residence Estates) under Resolution of Intent to R-PD5 (Residential Planned Development - 5 Units Per Acre) TO: C-V (Civic) on 37.6 acres on the southwest corner of the intersection of Iron Mountain Road and the Decatur Boulevard alignments (APN: 125-12-502-001 and a portion of 125-12-501-001), PROPOSED USE: SCHOOL, Ward 6 (Mack).

NOTICES MAILED 19 [Mailed with GPA-0023-01 and Z-0052-01(1)]

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review shall be approved by the City Council prior to the issuance of any permits for the site.
3. The existing Resolution of Intent for this site shall be expunged with approval of this request.

Public Works

4. Petition of Vacation, VAC-8-99, shall record prior to the issuance of any building or grading permits, whichever may occur first. Alternatively, the applicant may submit a separate Petition of Vacation to vacate those portions of Thom Boulevard which conflict with the proposed layout of this site.

Goynes -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NO. 4 AMENDED TO: "PETITION OF VACATION, VAC-8-99, SHALL RECORD PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS *OVERLYING THE AREA TO BE VACATED*", CONDITION NO. 5 AMENDED TO 51 FEET OF RIGHT-OF-WAY AND APPROPRIATE RADII CORNERS AT IRON MOUNTAIN ROAD AND BRENT LANE, AND CONDITION NO. 6 AMENDED TO 25.5 FEET OF RIGHT-OF-WAY FOR BRENT LANE ADJACENT TO THE SITE.

Motion carried with Buckley abstaining due to the fact Iron Mountain Ranch is involved with KB Home Nevada, Inc., a client of his law firm, Galati abstaining due to the fact the Clark County School District is a client of his architectural firm, McSwain abstaining due to the fact it involves a client of her company, and Quinn abstaining due to the fact his firm is involved in litigation with the Clark County School District.
(One Seat Vacant)

JOEL McCULLOCH, Planning and Development, stated that because of the rapid population growth in the Las Vegas valley the Clark County School District is experiencing a high demand for their facilities. In addition, staff finds that this location is appropriate for a new high school and that Decatur Boulevard and Iron Mountain Road are planned to be arterial roadways with 120 and 80 foot right-of-ways. Staff recommended approval, subject to the conditions.

MATT LaCROIX, Clark County School District, 4212 Eucalyptus Annex, appeared to represent the application and requested Condition No. 4 be amended to "Petition of Vacation, VAC-8-99, shall record prior to the issuance of any building permits *overlying the area to be vacated*", Condition No. 5 be amended to dedicate or obtain 51 feet instead of 60 feet of right-of-way and Condition No. 6 be amended to 25.5 feet for Brent Lane.

VICE CHAIRMAN TRUESDELL declared the Public Hearing open.

There was no one present wishing to speak on this item.

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ITEM

ACTION

Z-0052-01 - IRON MOUNTAIN RANCH ALLIANCE, LIMITED LIABILITY COMPANY ON BEHALF OF THE CLARK COUNTY SCHOOL DISTRICT

5. Provide proof that the realignment of Thom Boulevard as shown is acceptable to the property owner west of this site. Dedicate or obtain dedication for 60 feet of right-of-way and appropriate radii corners at Iron Mountain Road and at Brent Lane for the realigned Thom Boulevard prior to the issuance of any permits.

6. Dedicate 60 feet of right-of-way adjacent to this site for Iron Mountain Road, 60 feet for Decatur Boulevard, 30 feet for Brent Lane, and a 25 foot radius on the northwest corner of Decatur Boulevard and Brent Lane prior to the issuance of any permits.

7. Construct half-street improvements including appropriate overpaving on Iron Mountain Road, Thom Boulevard, Decatur Boulevard and Brent Lane adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

8. Provide a minimum of two lanes of paved, legal access to this site along a logical route concurrent with development of this site.

9. Coordinate with the Collection Systems Engineer in Public Works to extend the existing public sewer line in Decatur Boulevard north to Iron Mountain Road to a location and depth acceptable to the City Engineer.

VICE CHAIRMAN TRUEDELL declared the Public Hearing closed.

NOTE: See Item Nos. 13 and 15 for related discussion.

To be heard by the City Council on September 5, 2001

(9:19 - 9:28) 2 - 3360

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ITEM

ACTION

**Z-0052-01 - IRON MOUNTAIN RANCH
ALLIANCE, LIMITED LIABILITY COMPANY ON
BEHALF OF THE CLARK COUNTY SCHOOL
DISTRICT**

APPROVED

10. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

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ITEM

ACTION

Z-0052-01 - IRON MOUNTAIN RANCH ALLIANCE, LIMITED LIABILITY COMPANY ON BEHALF OF THE CLARK COUNTY SCHOOL DISTRICT

APPROVED

11. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-15.

Z-0052-01(1) - IRON MOUNTAIN RANCH ALLIANCE, LIMITED LIABILITY COMPANY ON BEHALF OF THE CLARK COUNTY SCHOOL DISTRICT

Request for a Site Development Plan Review and Reduction of the Perimeter Landscaping Requirements FOR A PROPOSED 358,490 SQUARE FOOT HIGH SCHOOL on 37.6 acres on the southwest corner of the intersection of Iron Mountain Road and the Decatur Boulevard alignments (APN: 125-12-502-001 and a portion of 125-12-501-001), R-E (Residence Estates) Zone Under Resolution of Intent to RPD5 (Residential Planned Development - 5 Units Per Acre) [PROPOSED: C-V (Civic)], Ward 6 (Mack).

NOTICES MAILED 19 [Mailed with GPA-0023-01 and Z-0052-01]

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. If this Site Development Plan Review is not exercised within two years of the approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.

2. All development shall be in conformance with the submitted site plan, landscape plans, and building elevations.

3. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed buildings. Lighting standards within the parking lots shall be no more than 15 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights.

Goynes -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NO. 3 AMENDED TO 30 FEET.

Motion carried with Buckley abstaining due to the fact Iron Mountain Ranch is involved with KB Home Nevada, Inc., a client of his law firm, Galati abstaining due to the fact the Clark County School District is a client of his architectural firm, McSwain abstaining due to the fact it involves a client of her company, and Quinn abstaining due to the fact his firm is involved in litigation with the Clark County School District.

(One Seat Vacant)

JOEL McCULLOCH, Planning and Development, stated this site plan meets the standards set forth by Title 19A, the Las Vegas Urban Design Guidelines and Standards, as well as the General Plan. Staff recommended approval, subject to the conditions.

MATT LaCROIX, Clark County School District, 4212 Eucalyptus Annex, appeared to represent the application and requested Condition No. 3 be amended to 30 feet rather than 15 feet.

VICE CHAIRMAN TRUESDELL declared the Public Hearing open.

There was no one present wishing to speak on this item.

VICE CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: See Item Nos. B-13 and B-14 for related discussion.

To be heard by the City Council on September 5, 2001.

(9:19 - 9:28) 2 - 3360

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

**Z-0052-01(1) - IRON MOUNTAIN RANCH
ALLIANCE, LIMITED LIABILITY COMPANY ON
BEHALF OF THE CLARK COUNTY SCHOOL
DISTRICT**

APPROVED

4. All exterior lighting shall meet the standards of LVMC Section 19A.08.060(C).

5. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

6. Landscaping and a permanent underground sprinkler system shall be installed prior to occupancy and shall be permanently maintained in a satisfactory manner.

Public Works

7. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

8. Site development to comply with all applicable Conditions of Approval for Z-0052-01 and all other site-related actions.

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ITEM

ACTION

B-16.

GPA-0025-01 - CITY OF LAS VEGAS

Request to Amend the City of Las Vegas General Plan to allow parks within the PF (Public Facilities) land use category, all Wards.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL

Based upon the analysis and findings, it is the staff's recommendation that the subject request be approved. In particular, a park is a use generally considered compatible with adjacent land uses. The C-V (Civic) District is permitted in either the PF or P land use classification.

**Truesdell -
APPROVED
Unanimous
(One Seat Vacant)**

DON SCHMEISER, Planning and Development, stated parks are only permitted in Parks Recreation Open Spaces classification. There have been several requests recently to change PF classifications to P classifications for parks where other public facilities are proposed. Since parks and recreation facilities are also public facilities it seemed appropriate to staff that they also be allowed any public facilities land use classification. It would also reduce the time required to initiate the establishment of parks and recreation facilities. Staff recommended approval.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on September 5, 2001.

(9:26 - 9:27) 3 - 130

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-17.

Z-0054-01 - CITY OF LAS VEGAS

Request for a Rezoning FROM: U (Undeveloped) [TC (Town Center) General Plan Designation], U (Undeveloped) under Resolution of Intent to GV (Civic), and U (Undeveloped) [PF (Public Facility) General Plan Designation] TO: G-V (Civic) on the northwest corner of the intersection of Buffalo Drive and Rome Boulevard, (APN: 125-21-501-002, 125-21-601-002, 125-21-701-005) PROPOSED USE: PARK, Ward 6 (Mack).

STAFF REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE AUGUST 23, 2001 PLANNING COMMISSION MEETING IN AN EFFORT TO PROPERLY NOTIFY THE REQUEST.

Truesdell -

ABEYANCE ITEM NOS. B-17 AND B-18 TO THE AUGUST 23, 2001 PLANNING COMMISSION MEETING.

Unanimous

(One Seat Vacant)

JOEL McCULLOCH, Planning and Development, stated staff would like to have this item held in abeyance to the August 23, 2001 meeting to properly renotify.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item No. B-18.

To be heard by the Planning Commission on August 23, 2001.

(6:18 - 6:19) 1 - 440

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-18.

Z-0054-01(1) - CITY OF LAS VEGAS

Request for a Site Development Plan Review FOR A PROPOSED PARK, LIBRARY, LEISURE SERVICES CENTER AND NEIGHBORHOOD PARK on 97.5 acres on the northwest corner of the intersection of Buffalo Drive and Rome Boulevard, (APN: 125-21-501-002, 125-21-601-002 and 125-21-701-005), Ward 6 (Mack).

STAFF REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE AUGUST 23, 2001 PLANNING COMMISSION MEETING IN AN EFFORT TO PROPERLY NOTIFY THE REQUEST.

Truesdell -

ABEYANCE ITEM NOS. B-17 AND B-18 TO THE AUGUST 23, 2001 PLANNING COMMISSION MEETING.

**Unanimous
(One Seat Vacant)**

JOEL McCULLOCH, Planning and Development, stated staff would like to have this item held in abeyance to the August 23, 2001 meeting to properly renotify.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item No. B-17.

To be heard by the Planning Commission on August 23, 2001.

(6:18 - 6:19) 1 - 440

PLANNING COMMISSION

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-19.

GPA-0026-01 - CLARK COUNTY SCHOOL DISTRICT ON BEHALF OF THE CITY OF LAS VEGAS

Request to Amend a portion of the Centennial Hills Sector Plan FROM: DR (Desert Rural) TO: PF (Public Facilities) on approximately 8.0 acres on the northeast corner of the intersection of Alexander Road and Thom Boulevard (APN: 138-01-804-001 and 138-01-804-002), Ward 6 (Mack).

NOTICES MAILED 405 [Mailed with Z-0055-01]

APPROVALS 1 Speaker

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL

Based upon the analysis and findings, it is the staff's recommendation that the subject request be approved. The proposed amendment is in conformance with the Master Plan Parks Element and is a use compatible with adjoining land uses.

The subject request is dependant upon the approval of GPA-0025-01 (included on this agenda) to amend the General Plan to allow parks in the PF (Public Facilities) land use classification. If that item is not approved, this item should receive the same consideration for continuance or denial.

Buckley - DENIED

Motion for APPROVAL failed due to the lack of a super majority with Galati abstaining due to the fact that the Clark County School District is a client of his architectural firm and Quinn abstaining due to the fact his company is in litigation with the Clark County School District. (One Seat Vacant)

DON SCHMEISER, Planning and Development, stated this property is located just south of Parsons Elementary School. It is consistent with the Master Plan Parks Element that projects the need for a neighborhood park in this neighborhood bounded by Craig Road, Jones Boulevard, Alexander Road and Decatur Boulevard. This park will provide needed active and passive recreational areas for this neighborhood. A neighborhood meeting was held on July 10, 2001 where seven residents voiced their approval. Staff recommended approval.

DAVID ROARK, City of Las Vegas, Real Estate and Asset Management, said this proposal is for a City park.

VICE CHAIRMAN TRUESDELL declared the Public Hearing open.

There was no one present wishing to speak on this item.

VICE CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: See Item No. B-20 for related discussion.

To be heard by the City Council on September 5, 2001.

(9:27 - 9:33) 3 - 200

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-20.

Z-0055-01 - CLARK COUNTY SCHOOL DISTRICT ON BEHALF OF THE CITY OF LAS VEGAS

Request for a Rezoning FROM: R-E (Residence Estates) TO: C-V (Civic) on approximately 8.0 acres on the northeast corner of the intersection of Alexander Road and Thom Boulevard (APN: 138-01-804-001 and 138-01-804-002), PROPOSED USE: PUBLIC PARK, Ward 6 (Mack).

NOTICES MAILED 405 [Mailed with GPA-0026-01]

APPROVALS 1 Speaker

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL,
Subject to:

Planning and Development

1. The City Council shall approve a General Plan Amendment (GPA-0026-01) to a PF (Public Facilities) land use designation.

2. A Resolution of Intent.

3. A Site Development Plan Review application shall be approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Coordinate with the Department of Public Works to determine the appropriate alignment for Thom Boulevard for the north leg of the intersection with Alexander Road. If appropriate, a Vacation application may be required to establish the proper intersection geometrics.

Buckley -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NO. 6 AMENDED TO CHANGE SAN MIGUEL AVENUE TO FOUNDATION AVENUE.

Motion carried with Galati abstaining due to the fact that the Clark County School District is a client of his architectural firm and Quinn abstaining due to the fact his company is in litigation with the Clark County School District.

(One Seat Vacant)

LAURA MARTIN, Planning and Development, stated the justification letter states as the city grows increased demands are placed upon the City to provide new park and recreation facilities for existing and future residents. C-V (Civic) zoning will be compatible with the adjacent civic and residential uses and zoning districts and will allow a City park that will meet a need for recreational facilities in an area experiencing on-going population growth. Staff recommended approval, subject to the conditions.

DAVID ROARK, City of Las Vegas, Real Estate and Asset Management, said the City has an MOU with the School District for use of this property and it will be in conjunction with the school across the street for a shared use, but mostly for a neighborhood park.

VICE CHAIRMAN TRUESDELL declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in approval. These shared facilities are a needed asset to the community.

VICE CHAIRMAN TRUESDELL declared the Public Hearing closed.

DAPHNEE LEGARZA, Public Works, requested Condition No. 6 be changed to: "Construct half-street improvements including appropriate overpaving on Alexander Road, Thom Boulevard, *Foundation Avenue*, and Tuffer Lane adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Improvements required on Tuffer Lane may be deferred or eliminated if the park site is expanded to incorporate the additional School District property to the east; however, if so, appropriate Vacation applications may be required."

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ITEM

ACTION

Z-0055-01 - CLARK COUNTY SCHOOL DISTRICT ON BEHALF OF THE CITY OF LAS VEGAS

5. Coordinate with the Department of Public Works to determine additional right-of-way requirements needed adjacent to this site, if any; dedicate all rights-of-way recommended by the Department of Public Works.

6. Construct half-street improvements including appropriate overpaving on Alexander Road, Thom Boulevard, San Miguel Avenue, and Tuffer Lane adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Improvements required on Tuffer Lane may be deferred or eliminated if the park site is expanded to incorporate the additional School District property to the east; however, if so, appropriate Vacation applications may be required.

7. Coordinate with the Collection Systems Planning Section of the Department of Public Works to determine appropriate public sewer paths to service this site prior to the submittal of sewer-related construction drawings for this site. Comply with the recommendations of the Collection Systems Planning Section.

NOTE: See Item No. B-19 for related discussion.

To be heard by the City Council on September 5, 2001.

(9:27 - 9:33) 3 - 200

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ITEM

ACTION

Z-0055-01 - CLARK COUNTY SCHOOL DISTRICT ON BEHALF OF THE CITY OF LAS VEGAS

APPROVED

8. A Traffic Impact Analysis or other information acceptable to the Traffic Engineering Division must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

9. A Drainage Plan and Technical Drainage Study or other information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study.

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ITEM

ACTION

B-21.

GPA-0027-01 - ARC INVESTMENTS, INC.

Request to Amend a portion of the West Las Vegas Plan FROM: M (Medium Density Residential) TO: SC (Service Commercial) on 0.15 acre on the east side of "F" Street adjacent to Interstate-15 (APN: 139-27-310-056), Ward 5 (Weekly).

NOTICES MAILED 84 [Mailed with Z-0046-01]

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: DENIAL

Truesdell -

ABEYANCE ITEM NOS. B-21 AND B-22 TO THE AUGUST 23, 2001 PLANNING COMMISSION MEETING.

**Unanimous
(One Seat Vacant)**

JOEL McCULLOCH, Planning and Development, stated that on July 26, 2001 the applicant requested Item Nos. B-21 and B-22 be held in abeyance to the August 9, 2001 meeting in order to meet with his City Councilman. Staff would like to have these items held to the August 23, 2001 meeting.

TONY CASTRIGNANO, ARC Investments, Inc., 2560 East Sunset Road, stated he did not have a problem with having these items held to the August 23, 2001 meeting.

CHAIRMAN GALATI declared the Public Hearing open.

VERNON CROOKSTON, 5389 Stirrup Street, said he owns the adjacent property. He is in favor of this amendment to the West Las Vegas Plan. He would like to get his property rezoned also. CHAIRMAN GALATI informed him that he would have to submit an application to rezone his property.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item No. B-22.

To be heard by the Planning Commission on August 23, 2001.

(6:19- 6:20) 1 - 460

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-22.

Z-0046-01 - ARC INVESTMENTS, INC.

Request for a Rezoning FROM: R-4 (High Density Residential) TO: C-1 (Limited Commercial) on 0.15 acre on the east side of "F" Street adjacent to Interstate-15 (APN: 139-27-310-056), Ward 5 (Weekly).

NOTICES MAILED 84 [Mailed with GPA-0027-01]

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. This request shall be amended to O (Office).
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review application shall be approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. A Reversionary Map for reverting the underlying parcels to acreage shall be recorded prior to the issuance of any building or grading permits for this site.
5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with construction of this site.

Truesdell -

ABEYANCE ITEM NOS. B-21 AND B-22 TO THE AUGUST 23, 2001 PLANNING COMMISSION MEETING.

**Unanimous
(One Seat Vacant)**

JOEL McCULLOCH, Planning and Development, stated that on July 26, 2001 the applicant requested Item Nos. B-21 and B-22 be held in abeyance to the August 9, 2001 meeting in order to meet with his City Councilman. Staff would like to have these items held to the August 23, 2001 meeting.

TONY CASTRIGNANO, ARC Investments, Inc., 2560 East Sunset Road, stated he did not have a problem with having these items held to the August 23, 2001 meeting.

CHAIRMAN GALATI declared the Public Hearing open.

VERNON CROOKSTON, 5389 Stirrup Street, said he owns the adjacent property. He is in favor of this proposal. He would like to get his property rezoned also. CHAIRMAN GALATI informed him that he would have to submit an application to rezone his property.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item No. B-21.

To be heard by the Planning Commission on August 23, 2001.

(6:19- 6:20) 1 - 460

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ITEM

ACTION

Z-0046-01 - ARC INVESTMENTS, INC.

6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

ABEYANCE TO AUGUST 23, 2001

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ITEM

ACTION

B-23.

Z-0045-01 - WILLIAM HODSHON

Request for a Rezoning FROM: R-1 (Single Family Residential) TO: P-R (Professional Office and Parking) at 500 South Seventh Street (APN: 139-34-710-027), PROPOSED USE: OFFICE, Ward 3 (Reese).

NOTICES MAILED 103

APPROVALS 0

PROTESTS 1 Speaker

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application shall be approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.
3. Approval of Variance V-0056-01 for the lot width of the site.

Public Works

4. Coordinate with the City Surveyor to determine whether a Reversionary Map to revert the underlying lot lines to acreage is necessary; if such Reversionary Map is required, it shall record prior to the issuance of any building permits for this site.
5. Dedicate a 10-foot radius on the southwest corner of Clark Avenue and Seventh Street prior to the issuance of any permits. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in preparing the appropriate documents.

Quinn -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Unanimous

(One Seat Vacant)

JOEL McCULLOCH, Planning and Development, stated P-R (Professional Office and Parking) will be compatible with adjacent office uses. However, a Variance will need to be approved for the minimum lot width, which is 60 feet, while this parcel is only 50 feet wide. Staff recommended approval, subject to the conditions.

WILLIAM HODSHON, 500 South Seventh Street, said he concurs with the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in protest. On Page 26 of the 2020 Master Plan it indicates 1.2% owner occupied housing in the downtown area. If any more residential is converted to offices there will not be any owner occupied housing at all in the downtown in the future.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on September 5, 2001.

(9:33 - 9:39) 3 - 406

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ACTION

Z-0045-01 - WILLIAM HODSHON

APPROVED

6. Construct full-width alley improvements adjacent to this site, concurrent with development of this site.

7. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

8. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

9. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall address the proposed circulation of traffic through the parking structure and shall address potential gated security areas, if proposed. The City shall determine traffic signal contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or

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ACTION

Z-0045-01 - WILLIAM HODSHON

concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

10. Landscape and maintain all unimproved right-of-way on Seventh Street and Clark Avenue adjacent to this site.

11. Submit an Encroachment Agreement for all private improvements located in the Seventh Street and Clark Avenue public right-of-way adjacent to this site prior to occupancy of this site.

APPROVED

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ITEM

ACTION

B-24.

Z-0047-01 - TORREY PINES TRUST ON BEHALF OF R.L. HOMES, LIMITED LIABILITY COMPANY

Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD5 (Residential Planned Development - 5 Units Per Acre) on 8.58 acres on the southeast corner of the intersection of Torrey Pines Drive and La Madre Way (APN: 125-35-801-001), PROPOSED USE: SINGLE FAMILY RESIDENTIAL, Ward 6 (Mack).

NOTICES MAILED 611 [Mailed with Z-0047-01(1)]

APPROVALS 0

PROTESTS 2 [Within Notification 7/26/01 PC]
2 [Within Notification]
4 Speakers

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application shall be approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Construct half-street improvements on La Madre Way and all incomplete half-street improvements on Torrey Pines Drive adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

Truesdell -
ABEYANCE TO THE AUGUST 23, 2001 PLANNING COMMISSION MEETING.

**Unanimous
(One Seat Vacant)**

LAURA MARTIN, Planning and Development, stated this rezoning request will result in a maximum of 5.49 units per acre. That density is comparable to the existing residential surrounding the site. Staff recommended approval, subject to the conditions.

BRENT PARRISH, WRG Design, 2260 Corporate Circle, #430, Henderson, Nevada said he concurred with staff's conditions. They will be able to meet the open space requirement, per staff's recommendations, and revise the site plan.

CHAIRMAN GALATI declared the Public Hearing open.

ROSALIND BLALOCK, 6428 Quantum Lane, appeared in protest. The entrance to this property will be directly across from her street. This amount of homes on this size of parcel is not common in that area. She would prefer this rezoning be changed from R-E to R-1. This will devalue her home.

STEVE BLALOCK, 6428 Quantum Lane, appeared in protest. This is too much density. He wants the value of the homes to remain.

KEVIN KRANK, 6236 West LaMadre Way, appeared in protest. His home will be directly across from the corner of this parcel. He is concerned about the size of the homes, but does prefer this vacant lot be developed as residential. He would like to know what type of wall and the lot size.

MARJORIE ZIMMERMAN, 6336 Yankee Meadow Circle, appeared in protest. Her cul-de-sac will back up to this proposed development. She objected to the density.

MARY LOU ZIMMERMAN, 6336 Yankee Meadow Circle, appeared in protest. She object to the density and felt this would devalue her home.

CHAIRMAN GALATI declared the Public Hearing closed.

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ITEM

ACTION

**Z-0047-01 - TORREY PINES TRUST ON
BEHALF OF R.L. HOMES, LIMITED LIABILITY
COMPANY**

4. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

5. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this

MR. PARRISH appeared in rebuttal. Originally they submitted an application for R-PD6, but it was felt R-PD5 would be more satisfactory to the homeowners. They have included an open space amenity in the centralized location of this development.

COMMISSIONER TRUESDELL said he felt R-1 would be less beneficial. The R-PD5 would require more open space.

CHAIRMAN GALATI thought the lots are too small. Perhaps there could be larger lots on the perimeter.

COMMISSIONER TRUESDELL suggested holding this item in abeyance so the site plan can be revised.

MR. PARRISH objected to having this item held in abeyance. These will all be single story homes. R. L. Homes is a respectable builder.

COMMISSIONER McSWAIN was concerned about the residents along La Madre Way having to look at a wall.

NOTE: See Item No. B-25 for related discussion.

To be heard by the Planning Commission on August 23, 2001.

(9:39 - 9:53) 3 - 480

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ITEM

ACTION

**Z-0047-01 - TORREY PINES TRUST ON
BEHALF OF R.L. HOMES, LIMITED LIABILITY
COMPANY**

site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits, or recordation of a Final Map for this site, whichever may occur first, if allowed by the City Engineer.

ABEYANCE TO AUGUST 23, 2001

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ITEM

ACTION

B-25.

Z-0047-01(1) - TORREY PINES TRUST ON BEHALF OF R.L. HOMES, LIMITED LIABILITY COMPANY

Request for a Site Development Plan Review FOR A PROPOSED 47-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 8.58 acres on the southeast corner of the intersection of Torrey Pines Drive and La Madre Way (APN: 125-35-801-001), R-E (Residence Estates) Zone [PROPOSED: R-PD5 (Residential Planned Development - 5 Units Per Acre)], Ward 6 (Mack).

NOTICES MAILED 611 [Mailed with Z-0047-01]

APPROVALS 0

PROTESTS 1 [Within Notification 7/26/01 PC]
4 Speakers

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The site plan shall be revised to depict an enlarged common open space area, in compliance with Title 19A.06.040.
2. The City Council shall approve a Rezoning (Z-0047-01) to an R-PD5 (Residential Planned Development –5 Units per Acre) Zoning District.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

Truesdell - ABEYANCE TO THE AUGUST 23, 2001 PLANNING COMMISSION MEETING.

**Unanimous
(One Seat Vacant)**

LAURA MARTIN, Planning and Development, stated the applicant's justification letter states this project will be developed as a private gated single family community, which will consist of 47 lots with an open space park setting in the center of the development. The lots sizes will be 5,000 square feet. All the homes will be single story and constructed with stucco exteriors and tile roofs. Access to this site will be via one gated entrance off Torrey Pines Drive. All lots will be accessed from 39-foot wide private streets. Five foot wide landscape planters with Arizona Ash trees are provided along Torrey Pines Drive and La Madre Way. This development in the R-PD zone requires 33,786 square feet of common open space per Section 19A.06.040 of the Las Vegas Municipal Code, which provides a formula density that dictates a percentage of gross land required for open space. The site plan depicts a common element containing 32,374 square feet of open space. Therefore, the site is not in compliance with the open space requirements. There is a condition to revise the site plan to depict an enlarged open space area in compliance with Title 19A. Staff recommended approval, subject to the conditions.

BRENT PARRISH, WRG Design, 2260 Corporate Circle, #430, Henderson, Nevada said he concurred with staff's conditions. They will be able to meet the open space requirement, per staff's recommendations, and revise the site plan.

CHAIRMAN GALATI declared the Public Hearing open.

ROSALIND BLALOCK, 6428 Quantum Lane, appeared in protest. The entrance to this property will be directly across from her street. This amount of homes on this size of parcel is not common in that area. She would prefer this rezoning be changed from R-E to R-1. This will devalue her home.

STEVE BLALOCK, 6428 Quantum Lane, appeared in protest. This is too much density. He wants the value of the homes to remain.

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ITEM

ACTION

Z-0047-01(1) - TORREY PINES TRUST ON BEHALF OF R.L. HOMES, LIMITED LIABILITY COMPANY

5. The setbacks for this development shall be 20 feet in the front, five feet on the side, 10 feet on a corner side yard, and 15 feet in the rear.

6. Streetscape landscaping shall meet the requirements of the Las Vegas Urban Design Guidelines and Standards in regards to tree and shrub size (minimum 24-inch box trees and 5 gallon shrubs), and all trees provided within the open space area to be minimum 24-inch box trees.

7. The applicant shall have constructed a six-foot high decorative block wall, with at least 20 percent contrasting materials, along the street frontages. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.

9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

10. All City Code requirements and design standards of all City departments must be satisfied.

KEVIN KRANK, 6236 West LaMadre Way, appeared in protest. His home will be directly across from the corner of this parcel. He is concerned about the size of the homes, but does prefer this vacant lot be developed as residential. He would like to know what type of wall and the lot size.

MARJORIE ZIMMERMAN, 6336 Yankee Meadow Circle, appeared in protest. Her cul-de-sac will back up to this proposed development. She objected to the density.

MARY LOU ZIMMERMAN, 6336 Yankee Meadow Circle, appeared in protest. She object to the density and felt this would devalue her home.

CHAIRMAN GALATI declared the Public Hearing closed.

MR. PARRISH appeared in rebuttal. Originally they submitted an application for R-PD6, but it was felt R-PD5 would be more satisfactory to the homeowners. They have included an open space amenity in the centralized location of this development.

COMMISSIONER TRUESDELL said he felt R-1 would be less beneficial. The R-PD5 would require more open space.

CHAIRMAN GALATI thought the lots are too small. Perhaps there could be larger lots on the perimeter.

COMMISSIONER TRUESDELL suggested holding this item in abeyance so the site plan can be revised.

MR. PARRISH objected to having this item held in abeyance. These will all be single story homes. R. L. Homes is a respectable builder.

COMMISSIONER McSWAIN was concerned about the residents along La Madre Way having to look at a wall.

NOTE: See Item No. B-24 for related discussion.

To be heard by the Planning Commission on August 23, 2001.

(9:39 - 9:53) 3 - 480

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

**Z-0047-01(1) - TORREY PINES TRUST ON
BEHALF OF R.L. HOMES, LIMITED LIABILITY
COMPANY**

Public Works

11. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Gated entry drives shall comply with Standard Drawing #222A.

12. The design and layout of all on-site private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.

13. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections. The CC&R's for the Homeowner's Association shall be submitted to and approved by the City Attorney's Office.

14. Site development to comply with all applicable Conditions of Approval for Zoning Reclassification Z-47-01, and all other subsequent site-related actions.

ABEYANCE TO AUGUST 23, 2001

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-26.

**Z-0048-01 - MARK AND ZOYA KHALILI, ET AL
ON BEHALF OF S.B.A. DEVELOPMENT, INC.**

Request for a Rezoning FROM: U (Undeveloped) [ML-TC (Medium Low – Town Center) and L (Low Density Residential) General Plan Designation] TO: TC (Town Center) on approximately 15 acres on the northeast corner of the intersection of Fort Apache Road and Deer Springs Way (APN: 125-20-201-001, 009 and 010), PROPOSED USE: SINGLE FAMILY RESIDENTIAL, Ward 6 (Mack).

NOTICES MAILED 61

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

2. A Site Development Plan Review application shall be approved by the Planning Commission or City Council prior to approval of a Tentative Map, issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. In accordance with the proposed Town Center Development Standards, the site plan for this development shall be revised to show Deer Springs Way as an 80' Town Center Arterial. No homes shall front upon Deer Springs Way.

Quinn -
APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Unanimous
(One Seat Vacant)

JOEL McCULLOCH, Planning and Development, stated this rezoning will bring this parcel under compliance with the General Plan. Staff recommended approval, subject to the conditions.

RUSSELL SKUSE, Tetra Tech Engineering, 401 North Buffalo Drive, #100, appeared to represent Spinnaker Homes. He concurred with the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on September 5, 2001.

(9:53 - 9:56) 3 - 1140

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

**Z-0048-01 - MARK AND ZOYA KHALILI, ET AL
ON BEHALF OF S.B.A. DEVELOPMENT, INC.**

APPROVED

4. Dedicate 40 feet of right-of-way adjacent to this site for Dorrell Lane, 50 feet for Fort Apache Road, 40 feet for Deer Springs Way, a 25 foot radius at the southeast corner of Dorrell Lane and Fort Apache Road and a 54 foot radius at the northeast corner of Fort Apache Road and Deer Springs Way in accordance with Town Center standards prior to the issuance of any permits.

5. Construct half-street improvements Dorrell Lane, Fort Apache Road and Deer Springs Way adjacent to this site, including appropriate overpaving (if legally able) concurrent with development of this site. Install all appurtenant underground facilities, if any, needed for the future traffic signal system concurrent with development of this site. Dorrell Lane, Fort Apache Road, Deer Springs Way and all interior streets shall be constructed to comply with all applicable Town Center standards.

6. Provide a minimum of two lanes of paved, legal access to this site prior to occupancy of any units within this development.

7. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend oversized public sewer in the El Capitan Way alignment to Dorrell Lane and extend public sewer in Dorrell Lane and Deer Springs Way to the western edges of this development to a location and depth acceptable to the City Engineer. All required public sewer easements, if any, necessary to connect this site to the existing public sewer system shall be provided to the City prior to City approval of sewer construction plans, or the issuance of any offsite permits. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits.

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ITEM

ACTION

**Z-0048-01 - MARK AND ZOYA KHALILI, ET AL
ON BEHALF OF S.B.A. DEVELOPMENT, INC.**

APPROVED

8. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings, or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

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ITEM

ACTION

**Z-0048-01 - MARK AND ZOYA KHALILI, ET AL
ON BEHALF OF S.B.A. DEVELOPMENT, INC.**

APPROVED

9. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings, or the recordation of a Final Map for this site, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Final Map, whichever may occur first, if allowed by the Planning Engineer.

10. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-27.

**Z-0050-01 - SHEARING FAMILY TRUST, ET AL
ON BEHALF OF KB HOME NEVADA, INC.**

Request for a Rezoning FROM: U (Undeveloped) [DR (Desert Rural Density Residential) General Plan Designation] TO: R-PD2 (Residential Planned Development - 2 Units Per Acre) on approximately 52.5 acres on the northeast corner of the intersection of Alexander Road and Fort Apache Road (APN: 138-05-301-034, 138-05-401-001, 003, 004, 005, 006, 012, 013, 014, 015, 019, 020, 021, 022, 024, 025, 026, 027, and 028), PROPOSED USE: SINGLE FAMILY RESIDENTIAL, Ward 4 (Brown).

NOTICES MAILED 507 [Mailed with V-0055-01 and Z-0050-01(1)]

APPROVALS 0

PROTESTS 0

Truesdell -

ABEYANCE ITEM NOS. B-27, B-28 AND B-29 TO THE AUGUST 23, 2001 PLANNING COMMISSION MEETING.

Motion carried with Buckley abstaining inasmuch as his law firm represents KB Home Nevada, Inc., and McSwain abstaining.

(One Seat Vacant)

JOEL McCULLOCH, Planning and Development, stated the applicant requested Item Nos. B-27, B-28 and B-29 be held in abeyance to the August 23, 2001 meeting in order to be able to hold a neighborhood meeting.

ROBERT LEWIS, Carter-Burgess, 6655 Burmuda Road, agreed to having these items held in abeyance to the August 23, 2001 meeting.

CHAIRMAN GALATI declared the Public Hearing open.

LINDA FIONDA, Northwest Network of Neighborhoods, 9390 West Helena, felt this item should be held in abeyance. The neighbors are looking forward to the neighborhood meeting.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item Nos. B-28 and B-29.

To be heard by the Planning Commission on August 23, 2001.

(6:20 - 6:22) 1 - 560

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ITEM

ACTION

B-28.

V-0055-01 - SHEARING FAMILY TRUST, ET AL ON BEHALF OF KB HOME NEVADA, INC.

Request for a Variance TO ALLOW 0.88 ACRE OF OPEN SPACE WHERE 1.78 ACRES OF OPEN SPACE IS THE MINIMUM ALLOWED on the northeast corner of the intersection of Alexander Road and Fort Apache Road (APN: 138-05-301-034, 138-05-401-001, 003, 004, 005, 006, 012, 013, 014, 015, 019, 020, 021, 022, 024, 025, 026, 027, and 028), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] [PROPOSED R-PD2 (Residential Planned Development - 2 Units Per Acre), Ward 4 (Brown).

NOTICES MAILED 507 [Mailed with Z-0050-01 and Z-0050-01(1)]

APPROVALS 0

PROTESTS 0

Truesdell -

ABEYANCE ITEM NOS. B-27, B-28 AND B-29 TO THE AUGUST 23, 2001 PLANNING COMMISSION MEETING.

Motion carried with Buckley abstaining inasmuch as his law firm represents KB Home Nevada, Inc., and McSwain abstaining.

(One Seat Vacant)

JOEL McCULLOCH, Planning and Development, stated the applicant requested Item Nos. B-27, B-28 and B-29 be held in abeyance to the August 23, 2001 meeting in order to hold a neighborhood meeting.

ROBERT LEWIS, Carter-Burgess, 6655 Burmuda Road, agreed to having these items held in abeyance to the August 23, 2001 meeting.

CHAIRMAN GALATI declared the Public Hearing open.

LINDA FIONDA, Northwest Network of Neighborhoods, 9390 West Helena, felt this item should be held in abeyance. The neighbors are looking forward to the neighborhood meeting.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-27 and B-29.

To be heard by the Planning Commission on August 23, 2001.

(6:20 - 6:22) 1 - 560

PLANNING COMMISSION

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-29.

Z-0050-01(1) - SHEARING FAMILY TRUST, ET AL ON BEHALF OF KB HOME NEVADA, INC.

Request for a Site Development Plan Review FOR A PROPOSED 105-LOT SINGLE-FAMILY SUBDIVISION on approximately 52.5 acres on the northeast corner of the intersection of Alexander Road and Fort Apache Road (APN: 138-05-301-034, 138-05-401-001, 003, 004, 005, 006, 012, 013, 014, 015, 019, 020, 021, 022, 024, 025, 026, 027, and 028), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] [PROPOSED R-PD2 (Residential Planned Development - 2 Units Per Acre], Ward 4 (Brown).

NOTICES MAILED 19 [Mailed with GPA-0023-01 and Z-0052-01]

APPROVALS 0

PROTESTS 0

Truesdell -

ABEYANCE ITEM NOS. B-27, B-28 AND B-29 TO THE AUGUST 23, 2001 PLANNING COMMISSION MEETING.

Motion carried with Buckley abstaining inasmuch as his law firm represents KB Home Nevada, Inc., and McSwain abstaining.

(One Seat Vacant)

JOEL McCULLOCH, Planning and Development, stated the applicant requested Item Nos. B-27, B-28 and B-29 be held in abeyance to the August 23, 2001 meeting in order to be able to hold a neighborhood meeting.

ROBERT LEWIS, Carter-Burgess, 6655 Burmuda Road, agreed to having these items held in abeyance to the August 23, 2001 meeting.

CHAIRMAN GALATI declared the Public Hearing open.

LINDA FIONDA, Northwest Network of Neighborhoods, 9390 West Helena, felt this item should be held in abeyance. The neighbors are looking forward to the neighborhood meeting.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item Nos. B-27 and B-28.

To be heard by the Planning Commission on August 23, 2001.

(6:20 - 6:22) 1 - 560

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-30.

Z-0056-01 - GARY A. BOBBS

Request for a Rezoning FROM: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] TO: PD (Planned Development) on approximately 5.59 acres on the north side of Alexander Road, approximately 330 feet east of the Cliff Shadows Parkway alignment (APN: 137-01-401-010), PROPOSED USE: MULTI-FAMILY RESIDENTIAL, Ward 4 (Brown).

NOTICES MAILED 23 [Mailed with Z-0056-01(1)]

APPROVALS 1 Speaker

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application shall be approved by the City Council prior to issuance of any permits, any site grading, and all development activity on this site.

Public Works

3. Dedicate 40 feet of right-of-way adjacent to this site for Alexander Road prior to the issuance of any permits.
4. Construct half-street improvements including appropriate overpaving, if legally able, on Alexander Road adjacent to this site concurrent with development of this site.
5. Construct a minimum of two lanes of paved access to this site concurrent with development of this site.

Quinn -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Truesdell abstaining inasmuch as he has business with Southwest Desert Equities and Buckley abstaining inasmuch as he currently has a client who is engaged in a multi-family site with the same property owner.

(One Seat Vacant)

JOEL McCULLOCH, Planning and Development, stated this request will bring the subject parcel into compliance with the General Plan designation of PCD (Planning Community Development). Therefore, staff recommended approval, subject to the conditions.

ATTORNEY TOM AMICK, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared with CALVIN CHAMPLIN, Quadrant Planning, and represented the applicant. ATTORNEY AMICK said that on July 5, the City Council approved the major modification to the Plan to change this property to the multi-family use so this zone change is just to bring the zoning into compliance with the General Plan for this site. This project is a multi-family development, 98 units on 5.59 acres, at a density of 18.6 units per acre, which is lower than what is permitted. He concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared to obtain information on the trails, but he was in favor of this project.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-31 for related discussion.

To be heard by the City Council on September 5, 2001.

(9:56 - 10:02) 3 - 1190

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ITEM

ACTION

Z-0056-01 - GARY A. BOBBS

APPROVED

6. If not already constructed at time of development, extend public sewer in Alexander Road to the west edge of this site to a location and depth acceptable to the City Engineer.

7. An update to the master Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

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ACTION

Z-0056-01 - GARY A. BOBBS

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.

APPROVED

PLANNING COMMISSION

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-31.

Z-0056-01(1) - GARY A. BOBBS

Request for a Site Development Plan Review FOR A PROPOSED 98-UNIT APARTMENT DEVELOPMENT on approximately 5.59 acres on the north side of Alexander Road, approximately 330 feet east of the Cliff Shadows Parkway alignment (APN: 137-01-401-010), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: PD (Planned Development)], Ward 4 (Brown).

NOTICES MAILED 23 [Mailed with Z-0056-01]

APPROVALS 1 Speaker

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The City Council shall approve a Rezoning (Z-0036-01) to a PD (Planned Development) Zoning District.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. Submit a revised site plan for approval of the Planning and Development staff that depicts the required trail alignment along the southern and western portions of the property.
5. Construct the trail along the western portion of the property prior to 75% of the subdivision being completed.

Quinn -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH ADDITIONAL CONDITION THAT THE APPLICANT WORK WITH STAFF ON THE ELEVATIONS SO THEY ARE COMPATIBLE WITH THE AREA.

Motion carried with Truesdell abstaining inasmuch as he has business with Southwest Desert Equities and Buckley abstaining inasmuch as he currently has a client who is engaged in a multi-family site with the same property owner.

(One Seat Vacant)

JOEL McCULLOCH, Planning and Development, stated the site plan depicts an orderly arrangement of buildings, vehicle driveways and parking areas. However, a 30 foot wide multi-use trail is required along the Alexander Road street frontage. Further, staff finds the Lone Mountain West Master Trail is located on the western edge of this site. There are conditions that require the site plan to be revised to depict these two trail corridors. In addition, staff has recommended another condition that requires a revised site plan to depict two additional handicapped parking spaces. Staff recommended approval, subject to the conditions.

ATTORNEY TOM AMICK, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared with CALVIN CHAMPLIN, Quadrant Planning, 3320 North Buffalo Drive, #205, and represented the applicant. ATTORNEY AMICK said that on July 5, the City Council approved the major modification to the Plan to change this property to the multi-family use so this zone change is just to bring the zoning into compliance with the General Plan for this site. This project is a multi-family development, 98 units on 5.59 acres, at a density of 18.6 units per acre, which is lower than what is permitted. He concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared to obtain information on the trails, but he was in favor of this project.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-30 for related discussion.

To be heard by the City Council on September 5, 2001.

(9:56 - 10:02) 3 - 1190

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ITEM

ACTION

Z-0056-01(1) - GARY A. BOBBS

APPROVED

6. Submit a revised site plan depicting six handicap parking spaces with proper access aisles.

7. Submit revised elevations that depict solid stucco-faced stairway railings.

8. The applicant and Planning and Development staff shall cooperatively prepare a mutually acceptable method of compliance with the requirement for contribution to the future development of Park 2.

9. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

10. Where new water mains are extended along streets and fire hydrants are not needed for protection of structures, hydrants shall be spaced at a maximum distance of 1,000 feet.

Public Works

11. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

12. Gated access drives shall be designed, located and constructed in accordance with Standard Drawing #222a.

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ITEM

ACTION

Z-0056-01(1) - GARY A. BOBBS

13. The design and layout of all on-site private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.

14. Site development to comply with all applicable Conditions of Approval for Zoning Reclassification Z-0056-01, the required update to the master Traffic Impact Analysis, and all other site-related actions.

APPROVED

PLANNING COMMISSION

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-32.

V-0046-01 - ROESENER AND WEGNER-ROESENGER TRUST

Request for a Variance TO ALLOW A PROPOSED 44 FOOT 3 INCH TALL RESIDENTIAL STRUCTURE WHERE 35 FEET IS THE MAXIMUM HEIGHT ALLOWED at 9811 Orient Express Court (APN: 138-31-314-008), U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation] under Resolution of Intent to R-PD7 (Residential Planned Development - 7 Units Per Acre), Ward 2 (L.B. McDonald).

NOTICES MAILED 47

APPROVALS 1 Speaker

PROTESTS 9 [Within Notification 7/26/01 PC]
2 [Within Notification]
1 Speaker

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. If this Variance is not exercised within two (2) years after the approval by City Council, then this Variance shall be void unless and Extension of Time is granted.
2. City Code requirements and design standards of all City Departments that are not affected by the approval of this Variance must be satisfied.
3. Approval and Conformance to the Conditions of Approval for Rezoning (Z-0017-90) and Site Development Plan Review [Z-0017-90(2)].

Goynes - DENIED

Motion carried with Buckley and Truesdell voting NO. (One Seat Vacant)

FIRST MOTION:

Buckley -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion did not carry with Galati, Goynes, McSwain and Quinn voting NO. (One Seat Vacant)

LAURA MARTIN, Planning and Development, stated the applicant's justification letter states that the height of the homes is a product of its Georgian architecture. This property is being developed with increased building setbacks that will not negatively impact the adjacent properties. The Site Development Plan Review did not address any maximum building height, therefore, staff relies on the Residential Development standards section of the Las Vegas Zoning Code to determine applicable maximum building heights. All residential dwellings should have a maximum height of 35 feet or two stories, whichever is less. There is no evidence of a unique or extraordinary circumstance to warrant approval of this Variance request for the building height. This is a self-created hardship and does not constitute justification for a Variance. Staff recommended denial.

SCOT BUGBEE, R. W. Bugbee & Associates, 711 South 9th Street, said this home will be going into Queensridge North, which is a European set community. Prior to purchasing the lot he met with the developer and a Design Review Committee, who are in approval. The developer did not put any height limitation into the CC&R's. That was to welcome this type of architecture. This is on 1.5 acre and the site coverage is less than 10%. The house is 65 feet square and goes straight up. It will be a beautiful home and have a walk-in basement. The setbacks are 40 feet in the front and 60 feet in the rear. This is good architecture.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in approval. This is beautiful architecture.

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ITEM

ACTION

**V-0046-01 - ROESENER AND WEGNER-
ROESENGER TRUST**

ED WISENGRAD, 7251 West Lake Mead Boulevard, #500, appeared to represent Noel and Ivy Gage, property owners of 9821 Orient Express Court, in protest. There is no evidence that this has been before the Design Review Committee. This will be detrimental to the view of his client's property. In addition, it is in violation of the Queensridge North Master CC&R's, which states that the main residence building height is 36 feet for both the estates and custom view lots. The maximum height for accessory structures is 12 feet for estates and custom view lots. This is also in violation of the Las Vegas Zoning Code, Section 19A.00.060, Subsection J, where the master CC&R's are not to be interfered with. It is also in violation of N.R.S. 278.300, as well as Las Vegas Zoning Code 19A.18.070 because any hardship on the applicant is personal, self-created, and financial in nature and not because of the characteristics of the land. Perhaps they should widen the footprint and lower the height.

CHAIRMAN GALATI declared the Public Hearing closed.

SCOT BUGBEE commented that staff has a letter from Queensridge North. Originally there was going to be a flat roof, but it was Queensridge North proposal that a high pitch roof be put on it.

DEPUTY CITY ATTORNEY BRYAN SCOTT added that the applicant has to show that there is some hardship before a Variance is granted, other than financial. In addition, the code does not provide that the City has to abide by any CC&R's. That is between the Association and the property owner.

COMMISSIONER QUINN asked if a Site Plan Review has been done. In addition, he has never heard of a walk-in basement.

MR. BUGBEE replied that they have not done a Site Plan Review. The only impact will be to the neighbor to the west and east.

CHAIRMAN GALATI felt if the basement were completely below grade this home would not be so high and need a Variance.

COMMISSIONER TRUESDELL noted that in driving through Queensridge there are some high-pitched roofs. It is different architecture than what is seen in Las Vegas. The footprint is small compared to the lot.

To be heard by the City Council on September 5, 2001.
(10:02 - 10:22) 3 - 1420

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ITEM

ACTION

B-33.

**V-0047-01 - TROPHY-DESERT, LIMITED
LIABILITY COMPANY**

Request for a Variance TO ALLOW AN EXISTING TENNIS COURT TO HAVE A ZERO FOOT SETBACK FROM THE SIDE AND REAR PROPERTY LINES WHERE FIVE FEET IS THE MINIMUM SETBACK ALLOWED at 2290 Villefort Court (APN: 163-03-416-005), R-E (Residence Estates) Zone under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre), Ward 1 (M. McDonald).

NOTICES MAILED 63

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0037-98), and all other site-related actions.

2. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

Quinn -
APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Unanimous
(One Seat Vacant)

LAURA MARTIN, Planning and Development, stated Honey Crystal Court is an eight-lot custom home community with a common lot which is utilized for the existing tennis court. The tennis court is located zero feet from the south and west property lines. The Las Vegas Zoning Code states tennis court fencing should be set back a minimum of five feet from the side and rear property lines. The tennis court has been built with landscaping provided on the north and east property lines. A 20-foot wide public drainage and utility easement is located along the east property line, which impedes the amount of developable property. Due to the shape of the subject property and the existence of the public drainage and utility easement a unique hardship exists. Staff recommended approval, subject to the conditions.

SHAWNA MOORE, Redrock Engineering, 2001 South Rainbow Boulevard, appeared to represent the applicant. She concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on September 5, 2001.

(10:22 - 10:28) 3 - 2280

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ITEM

ACTION

B-34.

V-0050-01 - MANUEL AND APRIL GIL

Request for a Variance TO ALLOW AN EXISTING DETACHED ACCESSORY STRUCTURE ZERO FEET FROM THE SIDE PROPERTY LINE WHERE THREE FEET IS THE MINIMUM SIDE YARD SETBACK ALLOWED at 7751 Via Olivero Avenue (APN: 163-03-402-010), R-D (Single Family Residential-Restricted) Zone, Ward 1 (M. McDonald).

NOTICES MAILED 59

APPROVALS 5
1 Letter

PROTESTS 0

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. City Code requirements and design standards of all City Departments, which are not affected by the approval of this Variance, must be satisfied.
3. Submit complete plans to the Building and Safety Department for review and permits.
4. If the Building and Safety Department requires removal of the accessory structure, which is the subject of this request, this Variance becomes null and void.

Quinn -
APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Motion carried with Truesdell voting NO.
(One Seat Vacant)

LAURA MARTIN, Planning and Development, stated the applicant's justification letter states that a detached accessory structure will prevent potential intruder access to the front yard and notes the City has already removed the setback requirement for two of the three properties that border this residence. It is a 990 square foot detached accessory structure finished in stucco with barreled tile to match the existing residence. A separate driveway provides access to the garage. The east wall of the detached garage doubles as a wall along a portion of the east property line. This shed will be utilized for storage of recreational vehicles and household items. Title 19A states that a detached accessory structure in the side yard must be located a minimum distance of three feet from the side property line and must be separated a minimum distance of six feet from the main dwelling. A garage could have been legally constructed within the limits of Title 19A and that there is a separation of 10 feet 6 inches between the detached structure and the existing residence. Furthermore, the side yard encroachment of the garage will create a negative aesthetic impact on the office complex to the east. Staff feels the applicants hardship is financial and therefore recommended denial.

APRIL GIL and MANUEL GIL, 7751 Via Olivero Avenue, appeared to state they have submitted a letter indicating a hardship was imposed on this property by the City of Las Vegas in 1996 by changing the designation of the adjacent property from residential to commercial. It is now next door to a commercial parking lot with an elevation difference of over ten feet. The City has removed the setback requirements for two of the three properties that border their residence. They had a letter of support from Somerset Properties, LLC, manager of the commercial property adjacent to them on the east. This building had been partially constructed and then they were informed by a City Inspector that it was not in compliance. They have to build a one-hour fire wall.

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ITEM

ACTION

V-0050-01 - MANUEL AND APRIL GIL

COMMISSIONER TRUESELLE commented that if this is approved it would send an unfavorable message to the community.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on September 5, 2001.

(10:28 - 10:38) 3 - 2380

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ITEM

ACTION

B-35.

**V-0051-01 - OVSEP AND VARDAN
PILAFDZHYAN**

Request for a Variance TO ALLOW A ZERO FOOT SIDE YARD SETBACK WHERE TEN FEET IS THE MINIMUM SIDE YARD SETBACK ALLOWED at 1410 South Commerce Street (APN: 162-04-607-015), M (Industrial) Zone, Ward 3 (Reese).

STAFF REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE AUGUST 9, 2001 PLANNING COMMISSION MEETING IN AN EFFORT TO HEAR THIS ITEM IN CONJUNCTION SD-0044-01.

Truesdell -

ABEYANCE ITEM NOS. B35 AND B-36 TO THE AUGUST 9, 2001 PLANNING COMMISSION MEETING.

Unanimous

(One Seat Vacant)

JOEL McCULLOCH, Planning and Development, stated staff would like to have Item Nos. B-35 and B-36 held in abeyance to the August 9, 2001 Planning Commission meeting in an effort to properly renotify them. The applicant is aware that staff will be requesting these items be held in abeyance.

There was no one present to represent this application.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item No. B-36.

To be heard by the Planning Commission on August 9, 2001.

(6:22 - 6:23) 1 - 630

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ITEM

ACTION

B-36.

**SD-0044-01 - OVSEP AND VARDAN
PILAFDZHYAN**

Request for a Site Development Plan Review and for a Waiver of the Required Downtown Centennial Plan Landscape and Streetscape Requirements FOR A PROPOSED 3,080 SQUARE FOOT ADDITION TO AN EXISTING 1,440 AUTO BODY REPAIR SHOP on 0.23 acre at 1410 South Commerce Street (APN: 162-04-607-015), M (Industrial) Zone, Ward 3 (Reese).

STAFF REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE AUGUST 9, 2001 PLANNING COMMISSION MEETING IN AN EFFORT TO PROPERLY NOTIFY

Truesdell -

ABEYANCE ITEM NOS. B35 AND B-36 TO THE AUGUST 9, 2001 PLANNING COMMISSION MEETING.

**Unanimous
(One Seat Vacant)**

JOEL McCULLOCH, Planning and Development, stated staff would like to have Item Nos. B-35 and B-36 held in abeyance to the August 9, 2001 Planning Commission meeting in an effort to properly renotify them. The applicant is aware that staff will be requesting these items be held in abeyance.

There was no one present to represent this application.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item No. B-35.

To be heard by the Planning Commission on August 9, 2001.

(6:22 - 6:23) 1 - 630

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ITEM

ACTION

B-37.

V-0053-01 - WPI-OWENS, LIMITED LIABILITY COMPANY ON BEHALF OF WORLD PREMIER INVESTMENTS

Request for a Variance to ALLOW A 20 FOOT REAR AND SIDE YARD SETBACK WHERE RESIDENTIAL ADJACENCY REQUIRES A MINIMUM REAR AND SIDE YARD SETBACK OF 66 FEET on the southwest corner of the intersection of Pecos Road and Owens Avenue (APN: 139-25-501-001), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

NOTICES MAILED 314 [Mailed with Z-0007-61(2)]

APPROVALS 1 Speaker

PROTESTS 0

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. If this Variance is not exercised within two years from date of approval by the City Council it will become void unless an Extension of Time is granted by the City Council.

2. City Code requirements and design standards of all City Departments which are not affected by approval of this Variance must be satisfied.

3. The Variance approval is subject to the approval of the Site Development Plan Review [Z-0007-61(1)] by the Planning Commission. If Z 0007-61(1) is not approved, this Variance shall be null and void.

Buckley - DENIED

Motion carried with Goynes and Quinn voting NO. (One Seat Vacant)

JOEL McCULLOCH, Planning and Development, stated that Section 19A.18.070, Subsection B, specifically prohibits the granting of Variances for the purpose of varying minimum spacing requirements between uses. The Residential Adjacency Standards are intended to set a standard between commercial and residential uses. There are no unique or extraordinary circumstances associated with this site. It is an undeveloped flat parcel of land that does not have any physical hardships. Staff recommended denial.

ATTORNEY TOM AMICK, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared to represent World Premier Investments. The City Council approved this project in April of 2000. They are seeking to make amendments to the western portion of the site. They will need to have a Variance from the setback requirements on the southern portion. The residents do not want any traffic behind the buildings, but want 20 feet of landscaping with 24-inch box trees 20 feet on center to keep that type of activity away. All the conditions on the previous approval will be done, such as two feet of wrought iron on their existing wall for security, same landscaping, screening the loading areas, minimal security lighting, etc.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in protest. He asked if security will be provided.

CHAIRMAN GALATI declared the Public Hearing closed.

DAVE GARRISON, World Premier Investments, 3 Imperial Promenade, #550, Santa Ana, California, said they did not plan on having any security. They could fence off the property at the corners so that it would eliminate any direct access behind the buildings. The original building will be a multi-tenant type of use and perhaps an ethnic market in one of the buildings. They can increase the wall to twelve feet.

CHAIRMAN GALATI felt this is too much building for the site.

NOTE: See Item No. B-38 for related discussion.

To be heard by the City Council on September 5, 2001.
(10:38 - 10:48) 3 - 2920

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ITEM

ACTION

B-38.

**Z-0007-61(2) - WPI-OWENS, LIMITED
LIABILITY COMPANY ON BEHALF OF WORLD
PREMIER INVESTMENTS**

Request for a Site Development Plan Review FOR A PROPOSED 19,326 square foot commercial retail center on the southwest corner of the intersection of Pecos Road and Owens Avenue (APN: 139-25-501-001), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

NOTICES MAILED 314 [Mailed with V-0053-01]

APPROVALS 1 Speaker

PROTESTS 0

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. The Site Development Plan Review approval is subject to the approval of the Variance (V-0051-01) by the City Council. If (V-0051-01) is not approved, this Site Development Plan Review shall be null and void.

2. The site plan shall be revised to depict a trash enclosure be a minimum of 50 feet from any residential property. In addition, the depicted eight foot tall wall in front of the loading dock shall be increased to a height of 12 feet.

3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

4. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

**Buckley -
DENIED**

**Motion carried with Goynes and Quinn voting NO.
(One Seat Vacant)**

JOEL McCULLOCH, Planning and Development, stated that in regard to the Site Plan Review, staff finds that the submitted site plan does not present an orderly layout of buildings and parking areas. There are conditions that require the trash enclosure to be moved so that it is a minimum of 50 feet from any residential property and that the block wall in front of the loading area be increased to 12 feet to buffer noise from the single family homes. The building should either be reduced to 15 feet in height or moved to meet the Residential Adjacency Standards. Staff recommended denial.

ATTORNEY TOM AMICK, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared to represent World Premier Investments. The City Council approved this project in April of 2000. They are seeking to make amendments to the western portion of the site. They will need to have a Variance from the setback requirements on the southern portion. The residents do not want any traffic behind the buildings, but want 20 feet of landscaping with 24-inch box trees 20 feet on center to keep that type of activity away. All the conditions on the previous approval will be done, such as two feet of wrought iron on their existing wall for security, same landscaping, screening the loading areas, minimal security lighting, etc.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in protest. He asked if security will be provided.

CHAIRMAN GALATI declared the Public Hearing closed.

DAVE GARRISON, World Premier Investments, 3 Imperial Promenade, #550, Santa Ana, California said they did not plan on having any security. They could fence off the property at the corners so that it would eliminate any direct access behind the buildings. The original building will be a multi-tenant type of use and perhaps an ethnic market in one of the buildings. They can increase the wall to twelve feet.

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**Z-0007-61(2) - WPI-OWENS, LIMITED
LIABILITY COMPANY ON BEHALF OF WORLD
PREMIER INVESTMENTS**

5. The landscape plan shall be revised prior to or at the same time application is made for a building permit to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.

6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

9. Parking lot lighting standards shall be no more than 15 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.

11. The freestanding signage shall be no higher than 25 feet.

12. The site street address shall be placed on one of the monument signs.

CHAIRMAN GALATI felt this is too much building for the site.

NOTE: See Item No. B-37 for related discussion.

To be heard by the City Council on September 5, 2001.

(10:38 - 10:48) 3 - 2920

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**Z-0007-61(2) - WPI-OWENS, LIMITED
LIABILITY COMPANY ON BEHALF OF WORLD
PREMIER INVESTMENTS**

DENIED

Public Works

13. Dedicate an additional 31.5 feet of right-of-way for a total radius of 54 feet on the southwest corner of Owens Boulevard and Pecos Road prior to the issuance of any permits as required by the Department of Public Works.

14. Construct all incomplete half-street improvements (sidewalk) on Owens Avenue adjacent to this site concurrent with development of this site as required by the Department of Public Works.

15. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to occupancy of this site as required by the Department of Public Works.

16. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.

17. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

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**Z-0007-61(2) - WPI-OWENS, LIMITED
LIABILITY COMPANY ON BEHALF OF WORLD
PREMIER INVESTMENTS**

DENIED

18. Site development to comply with all applicable Conditions of Approval for Zoning Reclassification Z-7-61 and all subsequent site-related actions.

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ITEM

ACTION

B-39.

U-0148-89(3) - HOOPER INDUSTRIES, LIMITED ON BEHALF OF ELLER OUTDOOR ADVERTISING

Required One Year Review on an approved Special Use Permit which allowed a 14 foot by 48 foot off-premise advertising (billboard) sign at 1712 West Charleston Boulevard (APN: 139-33-406-003), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

NOTICES MAILED 36

APPROVALS 0

PROTESTS 1 Speaker

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in one (1) year at which time the City Council may require the off-premise advertising (billboard) sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign be removed.

2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19A including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19A has been approved for the new structure by the City Council.

Truesdell - DENIED

Motion carried with Quinn voting NO (One Seat Vacant)

LAURA MARTIN, Planning and Development, stated this site is within the medical support area on the Medical District Neighborhood Plan. The existing off-premise advertising sign is not a permitted use in the medical support area. The Las Vegas Municipal Code allows for the removal of an off-premise advertising sign if conditions in the surrounding area change such that the off-premise sign no longer meets the standards for approval of a Special Use Permit. The area immediately surrounding this site has not changed substantially since the last Special Use Permit last year. However, the Medical District Plan designates Charleston Boulevard adjacent to this site as part of the primary streetscape design plan that designates the Charleston Boulevard/Shadow Lane intersection for a gateway feature. This sign is inappropriate in this area and the continued use of the billboard will be in conflict with the planned medical and office area with specific design standards. Staff recommended denial.

R. VAN NOSTRAND appeared to represent Clear Channel Outdoor, formerly Eller Media, 1211 West Bonanza Road. In the code under the sign regulations it says the Planning Commission or City Council may declare removal of the sign if it is demonstrated that the conditions in the surrounding area have changed in such a manner that the sign no longer meets the standards established in Section 19A.18.060(L). There has been no substantial change. Secondly, staff feels this sign is not permitted in the medical district. He reviewed the code, which said additional signs may be permitted. The signage in the medical district is 48 square feet, which is on-premise, not off-premise that they are requesting.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in protest. Monument signs would be better for this area, as the City is trying to eliminate large signs.

CHAIRMAN GALATI declared the Public Hearing closed.

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ACTION

**U-0148-89(3) - HOOPER INDUSTRIES,
LIMITED ON BEHALF OF ELLER OUTDOOR
ADVERTISING**

3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

4. All City Code requirements and design standards of all City Departments shall be satisfied.

MR. NOSTRAND thought this sign could be grandfathered in. This is the only sign of this type in the area.

COMMISSIONER BUCKLEY felt this area is changing with UMC undergoing major changes, County building a huge complex of buildings at the end of Shadow Lane, and the signage on Charleston by the hospital is of the monument type.

COMMISSIONER McSWAIN noted that there have been a number of buildings along Charleston Boulevard that have been modernized. Removing this sign would further that trend.

COMMISSIONER TRUESDELL thought this billboard is the most significant one. He was unaware of any billboard being grandfathered and does not want to give the impression that it is a potential opportunity. A neighborhood plan is being developed across the street whereby there is a six month moratorium on development on the south side of the street while that plan is developed. He would not want to improve Charleston on one side of the street and not the other side.

This is final action.

(10:48 - 10:58) 3 - 3570 - RECESS

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ITEM

ACTION

B-40.

U-0100-01 - REBECCA WHITLOCK ON BEHALF OF CHRISTINE ESSEX

Request for a Special Use Permit FOR A PROPOSED HYPNOTHERAPY BUSINESS at 600 South Jones Boulevard (APN: 138-36-316-001), R-1 (Single Family Residential) Zone under Resolution of Intent to P-R (Professional Office and Parking), Ward 1 (M. McDonald).

NOTICES MAILED 224

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This approval does not constitute approval of a business license.
2. All City Code requirements and design standards of all City departments must be satisfied.
3. If this Special Use Permit is not exercised within one year of the approval, this Special Use Permit shall be void unless an Extension of Time is granted.

Public Works

4. Remove all substandard public street improvements, alley improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to occupancy of this site.

Quinn -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NOS. 4 THROUGH 9 DELETED AND CONDITION NO. 10 AMENDED TO COMPLY WITH ALL APPLICABLE CONDITIONS OF APPROVAL FOR Z-18-91(6).

LAURA MARTIN, Planning and Development, stated the applicant's justification letter states the Special Use Permit is justified so the hypnotherapy may be utilized to assist clients with their personal and professional growth and awareness through hypnotism. This use will be conducted in conjunction with an office use and be harmonious and compatible with the existing surrounding office land uses and therefore recommended approval of this request subject to the conditions.

CHRISTINE ESSEX, Clinical Hypnotherapist, 6450 Hammer Lane, said she concurs with the conditions.

DAPHNEE LEGARZA, Public Works, recommended deleting Condition Nos. 4 through 9 and amending Condition No. 10 to read: Site Development to comply with all applicable Conditions of Approval for Z-18-91(6), and all other subsequent site related actions and the Conditions of Approval of the approved Traffic Impact Analysis for Jones Boulevard, Upland Boulevard to Evergreen Avenue.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on September 5, 2001.

(11:18 - 11:21) 4 - 248

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ITEM

ACTION

U-0100-01 - REBECCA WHITLOCK ON BEHALF OF CHRISTINE ESSEX

APPROVED

5. The proposed driveway access, on site circulation and parking lot layout shall meet the approval of the Traffic Engineering Representative in Land Development prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways should be designed, located and constructed to meet the intent of Standard Drawing #222a. Also, all new or modifications to existing driveways shall receive approval from the Nevada Department of Transportation.

6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

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ACTION

U-0100-01 - REBECCA WHITLOCK ON BEHALF OF CHRISTINE ESSEX

APPROVED

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

7. If on-street parking is not already prohibited adjacent to this site, submit a written request to the traffic and Parking Commission to eliminate on-street parking on Jones Boulevard adjacent to this site.

8. Hard Surface and/or landscape all unimproved right-of-way, if any unimproved area exists, on Jones Boulevard adjacent to this site prior to the issuance of a business license. Maintain all such improvements in perpetuity. All landscaping installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

9. Obtain an Occupancy Permit for all landscaping and private improvements in the Jones Boulevard public right-of-way adjacent to this site.

10. Site development to comply with all applicable Conditions of Approval for Z18-91, all other subsequent site-related actions, and the Conditions of Approval of the approved Traffic Impact Analysis for Jones Boulevard, Upland Boulevard to Evergreen Avenue.

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-41.

**U-0101-01 - CHURCH EPISCOPAL CHRIST
AND CHURCH EPISCOPAL DIOCESE NEVADA
ON BEHALF OF VERIZON WIRELESS**

Request for a Special Use Permit FOR A PROPOSED 60 FOOT TALL WIRELESS COMMUNICATION MONOPOLE TOWER at 2100 South Maryland Parkway (APN: 162-03-801-007 and 008), C-V (Civic) and C-1 (Limited Commercial) Zones, Ward 3 (Reese).

NOTICES MAILED 178

APPROVALS 1 Speaker

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. If this Special Use Permit is not exercised within two years of the approval, this Special Use Permit shall be void unless an Extension of Time is granted.
2. All City Code requirements and all City departments' design standards shall be met.
3. The submitted elevations shall be revised to depict a decorative block wall with no barbed wire surrounding all mechanical equipment.
4. The gates for the enclosure shall be either wrought iron or chain-link with colors that match the decorative block wall.

**Truesdell -
ABEYANCE TO THE SEPTEMBER 20, 2001 PLANNING
COMMISSION MEETING.**

**Unanimous
(One Seat Vacant)**

LAURA MARTIN, Planning and Development, stated Verizon Wireless is proposing to place a 60-foot high communication monopole light tower within the parking lot to the rear of this site. The elevations indicate that the pole will be a slimline design with two lights attached to the pole at the 35-foot level. Mechanical equipment will be screened from view by a six-foot high chain link fence adjacent to the west property line. There is a condition requiring the enclosure of the mechanical equipment be constructed of decorative block and that barbed wire not be allowed. Staff recommended approval, subject to the conditions.

DON CAPE, Spectrum Surveying and Engineering, 7351 West Charleston Boulevard, appeared to represent Verizon Wireless. They are proposing some alternative designs for wireless facilities by adding a 60 foot tall light standard with the traditional arch street lighting at the 35 foot level with the slimline pole system and mounted flush to the pole. The property is located at the corner of St. Lewis and Maryland Parkway, which is the Episcopal Church. To the west is a middle school, which is GV (Civic) and there is C-1 (Limited Commercial) on the south. They have revised their site plan to include the block wall with wrought iron fencing in lieu of chain link. The existing area on Maryland Parkway is a mature part of Las Vegas with 40 to 50 foot high trees that block views from most of the properties. He concurred with the conditions,

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in approval. This service is needed in the area.

CHAIRMAN GALATI declared the Public Hearing closed.

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ITEM

ACTION

**U-0101-01 - CHURCH EPISCOPAL CHRIST
AND CHURCH EPISCOPAL DIOCESE NEVADA
ON BEHALF OF VERIZON WIRELESS**

Public Works

5. Grant an appropriate traffic signal chord easement at the southeast corner of St. Louis Avenue and Maryland Parkway prior to the issuance of any permits. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in preparing the appropriate documents.

COMMISSIONER TRUESDELL questioned why this pole has to be 60 feet high. MR. CAPE explained that 60 feet is to clear the trees. The closest pole is about a mile away. There are no facilities located on school property in Nevada. This is set to the rear of the property. There has not been any opposition from the neighborhood. They could design a co-locatable pole, but it would be bigger in diameter. They are usually 18 inches at the base and 12 inches at the top.

COMMISSIONER BUCKLEY felt it is hard to approve this tower without knowing what is there and what other possibilities exist.

MR. CAPE pointed out that the wireless industry covers a smaller radius since they have come down in height. Most of the carriers look at 50 to 60 foot heights. They have been working on a location for about a year.

COMMISSIONER TRUESDELL felt he would be making a decision in a vacuum. He would like to have more data.

MR. CAPE did not feel this would impact the neighborhood. They would be willing to have a workshop for the Commissioners.

COMMISSIONER BUCKLEY said the City is working on a cell ordinance and it will be on the Planning Commission agenda in September.

COMMISSIONER TRUESDELL thought it would be wise to hold this item until after the new cell ordinance is reviewed. The draft for that ordinance has almost been completed. The City wants that ordinance completed.

MR. CAPE wanted to have this item move forward to the City Council because he felt it could be several months before the cell ordinance is adopted.

To be heard by the Planning Commission on September 20, 2001.

(11:21 - 11:46) 4 - 340

PLANNING COMMISSION

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ITEM

ACTION

B-42.

U-0103-01 - JOSEPH ROBERTS REVOCABLE FAMILY TRUST, ET AL ON BEHALF OF SUN NAM YI

Request for a Special Use Permit FOR THE SALE OF BEER AND WINE FOR OFF-PREMISE CONSUMPTION IN CONJUNCTION WITH AN EXISTING MARKET at 640 North Eastern Avenue (APN: 139-25-407-002), C-2 (General Commercial) Zone, Ward 3 (Reese).

NOTICES MAILED 348

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Sale of alcoholic beverages shall be limited to the sale of beer and wine only.
2. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
3. Approval of this Special Use permit does not constitute approval of a liquor license.
4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
5. If this Special Use Permit is not exercised within one year after this approval, this Special Use Permit shall be void unless an Extension of Time is granted.
6. All City Code Requirements and all City departments' design standards shall be met.

**Buckley -
ABEYANCE TO THE AUGUST 23, 2001 PLANNING COMMISSION MEETING.**

**Unanimous
(One Seat Vacant)**

LAURA MARTIN, Planning and Development, stated the correct address for this site is 615 North Eastern Avenue, which did not affect noticing this project. The applicant's justification letter states that in order to better serve customers the sale of packaged beer and wine is essential. The City Code requires the sale of beer and wine for off-premise consumption to be a minimum of 400 feet from any church, synagogue, school, child care facility licensed for more than 12 children, or City park as measured from property line to property line. No protected uses are known to be within this distance requirement. The sale of beer and wine for off-premise consumption is a use usually associated with a convenience store. Staff recommended approval, subject to the conditions.

There was no one present to represent the application.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item in favor or protest.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the Planning Commission on August 23, 2001.

(11:46 - 11:47) 4 - 1170

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-43.

U-0104-01 - CRAIG MARKETPLACE

Request for a Special Use Permit FOR A PROPOSED 3,729 SQUARE FOOT MINOR AUTOMOTIVE REPAIR FACILITY on the southeast corner of the intersection of Craig Road and Tenaya Way (APN: 138-03-701-018), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

NOTICES MAILED 364

APPROVALS 0

PROTESTS 11 [Within Notification 7/26/01 PC]
12 Petition

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. If this Special Use Permit is not exercised within two years of this approval, this special use permit shall be null and void unless an Extension of Time is granted.
2. All City Code Requirements and all City Departments design standards shall be met.
3. All repair and service work shall be performed within a completely enclosed building.
4. Openings to the service bays shall not face public right-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
5. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
6. No outside storage of stock, equipment, or residual used equipment shall be located or stored in any open area outside of the enclosed building.

Quinn -
APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Unanimous
(One Seat Vacant)

JOEL McCULLOCH, Planning and Development, stated this request for a minor automotive repair facility within this commercial center can be conducted in a manner that is harmonious and compatible with the future commercial development on the site. Staff recommended approval, subject to the conditions.

NANETTE ELLIS, Ellis Realty, 2330 Paseo Del Prado, appeared to represent the applicant. She concurred with the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on September 5, 2001.

(11:47 - 11:48) 4 - 1230

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ACTION

U-0104-01 - CRAIG MARKETPLACE

APPROVED

7. All disabled vehicles shall be stored in an area, which is screened from view from the surrounding properties and adjoining streets. Vehicles shall not be stored on the property longer than 45 days.

Public Works

8. In accordance with recorded Parcel Map 98-37, this pad site shall have perpetual common access to all driveways connecting the overall site to the abutting public streets.

9. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

10. Site development to comply with the recommendations of the approved Traffic Impact Analysis and all applicable Conditions of Approval for Zoning Reclassification Z-0071-99, the Craig and Tenaya (Commercial Subdivision) and all other subsequent site-related actions.

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ITEM

ACTION

B-44.

Z-0057-98(2) - NINE PARKED PLACE, LIMITED LIABILITY COMPANY AND LOGAN REALTY OF NEVADA, LIMITED LIABILITY COMPANY ON BEHALF OF LOGAN REALTY OF NEVADA, LIMITED LIABILITY COMPANY

Request for a Site Development Plan Review FOR A PROPOSED 43,700 SQUARE FOOT AUTOMOBILE DEALERSHIP on approximately 8.84 acres on the north side of Sahara Avenue, approximately 650 feet west of Rainbow Boulevard (APN: 163-03-806-003 and 004), U (Undeveloped) Zone [GC (General Commercial) General Plan Designation] under Resolution of Intent to C-2 (General Commercial), Ward 1 (M. McDonald).

NOTICES MAILED 1,907

APPROVALS 0

PROTESTS 1 [Within Notification 7/26/01 PC]
1 Speaker

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

3. The site plan shall be revised to depict 88 customer parking spaces or a Variance shall be approved by the City Council to reduce that requirement prior to the issuance of any building permits.

4. Any wall signage on the north side of the building, facing residences, shall be non-illuminated.

Quinn -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NO. 5 AMENDED TO WORK WITH STAFF ON SIGNAGE ADJACENT TO SAHARA AVENUE FRONTAGE, CONDITION NO. 6 AMENDED THAT NO TEST DRIVES BE ALLOWED ON VIA OLIVERO OR SURROUNDING NEIGHBORHOOD. CONDITION NO. 9 BE DELETED, AND ADDITIONAL CONDITIONS THAT THERE BE NO PARKING OF VEHICLES ON THE LANDSCAPE BERM, NO EMPLOYEE OR VEHICULAR PARKING ON VIA OLIVERO, AND NO PARKED CARS ON THE UNDEVELOPED PARCEL UNTIL IT IS DEVELOPED.

Motion carried with Buckley abstaining inasmuch as his law firm represents the automobile dealership. (One Seat Vacant)

JOEL McCULLOCH, Planning and Development, stated the site plan depicts an orderly arrangement of buildings and parking areas. However, the submitted plan proposes 55 customer and employee parking spaces and Title 19A requires a minimum of 88 spaces. There is a condition requiring a Parking Variance be approved by the City Council or submittal of a revised site plan indicating compliance with Title 19A. Staff has also recommended a condition requiring the landscape plan be revised to meet the standard for parking lot planter fingers. In addition, there is a condition requiring revised elevations to redesign the rear elevation to provide better visual interest. Staff recommended approval, subject to the conditions.

MICHAEL BELLON, Elysium Enterprises, 1700 Stoney Shore Drive, appeared to represent the applicant. This is the relocation of an existing Acura dealership currently at West Sahara and Lindell. There are five auto dealerships on this street and one about to be built. He requested additional conditions that there be no employee parking or vehicle parking on Via Olivero. With regard to Condition No. 5, other dealerships in that area have 40-foot high signs. He requested Condition No. 6 be amended to no test drives be allowed on Via Olivero or surrounding neighborhoods. Condition No. 9 amended because other car dealerships in that area have cars displayed in the front in the parking areas, so he requested the landscape finger planters be deleted and additional landscaping be put in along the east and west sides.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in protest. This area is turning into an auto mall.

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ITEM

ACTION

Z-0057-98(2) - NINE PARKED PLACE, LIMITED LIABILITY COMPANY AND LOGAN REALTY OF NEVADA, LIMITED LIABILITY COMPANY ON BEHALF OF LOGAN REALTY OF NEVADA, LIMITED LIABILITY COMPANY

5. Free-standing signage shall be limited to one monument sign, with a maximum height of eight feet, adjacent to the intersection of Tenaya Way and Sahara Avenue. The sign shall utilize materials and colors reflecting the commercial buildings.

6. No test drives are allowed on Via Olivero Avenue.

7. Landscaping and wall design shall match the properties to the east and west along Via Olivero Avenue.

8. The installation and use of an outdoor public address or bell system is prohibited.

9. The landscape plan shall be revised to depict landscape planter fingers for every six parking spaces within the area south of the proposed building.

10. Submit revised building elevations depicting the north façade to include comparable façade textual treatments as proposed on the other three facades, specifically horizontal trim and cornice lines, and vertical façade indentations reflecting the window openings as depicted on the south, east and west façades.

11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

12. All exterior lighting shall meet the standards of LVMC Section 19A.08.060 (C).

CHAIRMAN GALATI declared the Public Hearing closed.

MR. McCULLOCH thought one monument sign of eight feet could be allowed along Sahara Avenue. The City Council prefers monument signs in any new projects.

COMMISSIONER QUINN asked the applicant if he would be willing to have an additional condition that there be no advertising and parking cars on the landscape berm. MR. BELLON agreed to that condition.

COMMISSIONER McSWAIN asked if his client owns the undeveloped land adjacent to this property as there are cars parked in the dirt. MR. BELLON responded that his client has recently purchased that parcel but there are no plans to develop it. He would be agreeable to a condition that they will not park cars on that undeveloped parcel until it is developed. COMMISSIONER McSWAIN requested that condition be added to this approval.

To be heard by the City Council on September 5, 2001.

(11:48 - 11:57) 4 - 1280

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ITEM

ACTION

Z-0057-98(2) - NINE PARKED PLACE, LIMITED LIABILITY COMPANY AND LOGAN REALTY OF NEVADA, LIMITED LIABILITY COMPANY ON BEHALF OF LOGAN REALTY OF NEVADA, LIMITED LIABILITY COMPANY

APPROVED

13. Parking lot lighting standards shall be no more than 15 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights.

14. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

15. A landscaping plan must be submitted prior to or at the same time application is made for a building permit, or prior to occupancy, whichever occurs first.

16. The applicant shall have constructed a six-foot high decorative block wall, with at least 20 percent contrasting materials, around the entire service parking area.

Public Works

17. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a. The site shall be designed such that all delivery vehicles can maneuver for loading and unloading on-site; there shall be no parking, loading or unloading of vehicles within the Sahara Avenue public right-of-way.

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ITEM

ACTION

Z-0057-98(2) - NINE PARKED PLACE, LIMITED LIABILITY COMPANY AND LOGAN REALTY OF NEVADA, LIMITED LIABILITY COMPANY ON BEHALF OF LOGAN REALTY OF NEVADA, LIMITED LIABILITY COMPANY

APPROVED

18. If such has not already been established, submit a copy of a recorded Joint Access Agreement for the proposed shared driveways at the east and west edges of this site prior to the issuance of permits.

19. Vehicles shall be neither displayed nor stored within the public right-of-way adjacent to this site.

20. Site development to comply with all applicable Conditions of Approval for Zoning Reclassification Z-0057-98 and all other subsequent site-related actions.

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ITEM

ACTION

B-45.

Z-0017-90(35) - PECCOLE NEVADA CORPORATION, ET AL

Request for a Review of Condition #2 on an approved Site Development Plan Review [Z-0017-90(20)] TO ALLOW A 15 FOOT FRONT YARD SETBACK WHERE A 20 FOOT FRONT YARD SETBACK WAS ORIGINALLY APPROVED, U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation] under Resolution of Intent to R-PD7 (Residential Planned Development - 7 Units Per Acre), (APN: 138-31-215-001 through 014 and 138-31-612-001 through 027), Ward 2 (L. B. McDonald).

STAFF REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE AUGUST 9, 2001 PLANNING COMMISSION MEETING IN AN EFFORT TO PROPERLY NOTIFY.

Goynes -

ABEYANCE TO THE AUGUST 9, 2001 PLANNING COMMISSION MEETING TO BE A NON-PUBLIC HEARING ITEM.

**Unanimous
(One Seat Vacant)**

JOEL McCULLOCH, Planning and Development, stated staff would like to have this item held in abeyance to the August 9, 2001 Planning Commission meeting to properly notify the item.

CLYDE SPITZE, AMEC Engineering, 3016 West Charleston Boulevard, #180, said they did not pay for a Public Hearing as they did not feel it was warranted. He thought this item would not be going to the City Council.

CHAIRMAN GALATI declared the Public Hearing open.

SHARON HAHN, 8700 Carlitas Joy Court, objected to having this item held in abeyance. She is having a home built where it will have a 15-foot front setback. Her plans have been approved, but a permit cannot be issued until this issue is resolved.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER McSWAIN wondered if all the Commissioners had enough information to have this item go forward.

CHRIS GLORE, Planning and Development, added that the application that was submitted to staff indicated that there was a request for a 15-foot setback. There was also a lot that needed a 10-foot setback. Staff did not realize that incorrect information until after the notice was mailed. It could be placed on the Non-Public Hearing portion of the August 9, 2001 meeting agenda. This item would not go to the City Council unless the Planning Commission requested it to go forward.

CHAIRMAN GALATI added that the Commissioners do not have a Staff Report on this item.

To be heard by the Planning Commission on August 9, 2001.

(6:23 - 6:28) 1 - 670

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ITEM

ACTION

B-46.

MSH-0002-01 - CITY OF LAS VEGAS

Request to Amend the Master Plan of Streets and Highways to indicate that Peak Drive is an 80-foot secondary roadway between Tenaya Way and Buffalo Drive, Ward 4 (Brown).

NOTICES MAILED 16

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL,
subject to:

Public Works

1. Upon development, additional rights-of-way for dedicated right turn lanes, dual left turn lanes, and/or appropriate transition elements shall be required at the discretion of the Traffic Engineer.

2. City Staff is empowered to modify this application, if necessary, because of technical concerns or because of other related review actions as long as current City of Las Vegas requirements are still complied with and the intent of the submitted Master Plan of Streets and Highways is not changed.

Quinn -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Buckley abstaining inasmuch as this represents the Tech Center expansion and his law firm represents the property owner.

(One Seat Vacant)

LAURA MARTIN, Planning and Development, stated the City of Las Vegas would like to amend the Master Plan of Streets and Highways to indicate that Peak Drive is an 80 foot secondary roadway between Tenaya Way and Buffalo Drive. The addition of the large-scale recreational facility to extend the detention basin within the Technology Center boundaries, along with new development in the Technology Center, have intensified traffic within that area. The proposal to have Peak Drive as an 80-foot wide major arterial would help alleviate some of the anticipated traffic congestion and provide an alternative access point for City vehicles accessing the City's West Service Yards. Staff recommended approval, subject to the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER TRUESDELL announced that his company manages the association for the Tech Park, but did not feel that would affect his ability to vote on this item.

To be heard by the City Council on September 5, 2001.

(11:57 - 11:59) 4 - 1630

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ITEM

ACTION

B-47.

VAC-0018-01 - CITY OF LAS VEGAS

Petition to vacate public Rights-of-Way generally located between Moccasin Road and Log Cabin Way, west of Durango Drive, Ward 6 (Mack).

STAFF REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE AUGUST 9, 2001 PLANNING COMMISSION MEETING IN AN EFFORT TO PROPERLY NOTIFY

**Truesdell -
ABEYANCE TO THE AUGUST 9, 2001 PLANNING COMMISSION MEETING.
Unanimous
(One Seat Vacant)**

JOEL McCULLOCH, Planning and Development, stated staff would like to have this item held in abeyance to the August 9, 2001 meeting to properly renotify it.

RON COOPER, 10041 Homestead Road, said they have been held up for over a year waiting on permits because of this Vacation. They are anxious to start building.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the Planning Commission on August 9, 2001.

(6:28 - 6:30) 1 - 840

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-48.

VAC-0019-01 - WEINGARTEN NOSTAT, INC.

Petition to vacate a public drainage easement, generally located south of Charleston Boulevard, west of Arville Street, Ward 1 (McDonald).

NOTICES MAILED 70

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL,
subject to:

1. All development shall be in conformance with code requirements and design standards of all City departments.
2. Grant appropriate alternative or additional easements required to preserve the existing drainage paths. Provide and improve all drainageways as recommended in the approved drainage plan/study.
3. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #2 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application, if necessary, because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

Buckley -

APPROVED, SUBJECT TO CONDITIONS.

Motion carried with McSwain abstaining inasmuch as her company is working on the Westland Mall project. (One Seat Vacant)

LAURA MARTIN, Planning and Development, stated this drainage easement would fulfill a Condition of Approval for the Final Map technical review, FM-0020-01, and therefore recommended approval of this request, subject to the conditions.

DAVID ENGLE, Tetra Tech, Inc., 401 North Buffalo Drive, #100, appeared to represent the applicant and agreed to the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on September 5, 2001.

(11:59 - 12:02) 4 - 1710

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ITEM

ACTION

VAC-0019-01 - WEINGARTEN NOSTAT, INC.

APPROVED

4. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or the Planning Commission does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

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ITEM

ACTION

B-49.

VAC-0020-01 - WEINGARTEN NOSTAT, INC.

Petition to vacate a public ingress/egress easement generally located on the south side of Charleston Boulevard, approximately 400 feet west of Arville Street, Ward 1 (McDonald).

NOTICES MAILED 1

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL,
subject to:

1. All development shall be in conformance with code requirements and design standards of all City departments.
2. All public improvements, if any, adjacent to and in conflict with this Vacation application are to be modified, as necessary, at the applicant's expense prior to recordation of an Order of Vacation.
3. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #2 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application, if necessary, because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the Vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

Buckley -

APPROVED, SUBJECT TO CONDITIONS.

Motion carried with McSwain abstaining inasmuch as her company is working on the Westland Mall project. (One Seat Vacant)

LAURA MARTIN, Planning and Development, stated this public ingress/egress easement fulfills a Condition of Approval for the Final Map technical review. Staff recommended approval, subject to the conditions.

DAVID ENGLE, Tetra Tech, Inc., 401 North Buffalo Drive, #100, appeared to represent the applicant and agreed to the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on September 5, 2001.

(11:59 - 12:02) 4 - 1710

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ITEM

ACTION

VAC-0020-01 - WEINGARTEN NOSTAT, INC.

APPROVED

4. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or the Planning Commission does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

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ITEM

ACTION

C.

NON-PUBLIC HEARING ITEMS:

C-1.

Z-0068-85(56) - CITY OF LAS VEGAS ON BEHALF OF HY-RAY DEVELOPMENT LIMITED LIABILITY COMPANY

Request for a Site Development Plan Review FOR A PROPOSED 55,483 SQUARE FOOT MEDICAL OFFICE COMPLEX on 6.2 acres approximately 400 feet southeast of the intersection of Tenaya Way and Box Canyon Drive, (APN: 138-15-810-013), CPB (Planned Business Park) Zone, Ward 4 (Brown).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The applicant shall submit a revised landscape plan depicting 24-inch box trees spaced twenty (20) feet on-center along Box Canyon Drive; 24-inch box trees spaced thirty (30) feet on-center along the south and west property lines; and 24-inch box Aleppo Pine trees and Mexican Fan Palms as indicated on the submitted landscape plan. All landscaping shall conform to the Las Vegas Urban Design Standards and Guidelines.
2. Revise the site plan to provide minimum seven-foot sidewalks and a pedestrian connection to the park adjacent to the site.
3. Wallpack lighting on the front of the building shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed buildings. Lighting standards within the parking lots shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights.

Buckley -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NO. 2 AMENDED TO ADD: *OR PROVIDE WHEEL STOPS.*

Motion carried with Truesdell abstaining inasmuch as his company is involved with the Tech Park. (One Seat Vacant)

LAURA MARTIN, Planning and Development, stated this is a Site Development Plan Review for ten office buildings ranging in size from 4,168 square feet to 7,750 square feet located on the perimeter of the site. Parking is provided on the perimeter of the office buildings, as well as the interior of the site. Two driveways from Box Canyon Drive provide access to this site. Perimeter landscaping is provided in the form of a 30-foot landscape planter along the Box Canyon Drive frontage and 15 foot wide landscape planters along the south and west property lines. Parking lot landscape finger islands are also provided. The submitted elevations portray one-story office buildings with three-tone stucco and dark red standing seam metal roofs. The buildings have curved accent windows and protruding columns as architectural treatments. Some of the office buildings have overhangs that encroach into the sidewalk area. It is recommended that the building footprints/site plan be revised to provide minimum seven-foot wide sidewalks to minimize interference with handicapped access, as well as eliminate the need for rail stops for regular parking spaces. Staff has a condition to provide a pedestrian connection to the park adjacent to this site. Staff recommended approval, subject to the conditions.

RICK MURRAY, Hy-Ray Development, LLC, 4310 Losee Road, No. 1A, North Las Vegas, appeared to represent the application. He concurred with staff's conditions, except on Condition No. 2 that they not have to provide seven-foot wide sidewalks. They have a conditional letter of approval, pending approval by the Planning Commission and City Council.

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ITEM

ACTION

**Z-0068-85(56) - CITY OF LAS VEGAS ON
BEHALF OF HY-RAY DEVELOPMENT LIMITED
LIABILITY COMPANY**

4. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

5. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.

10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

11. All City Code requirements and design standards of all City departments must be satisfied

COMMISSIONER BUCKLEY felt it is important that the Tech Center standards be followed.

MR. McCULLOCH suggested revising Condition No. 2 to indicate: *or provide wheel stops*. MR. MURRAY concurred with that amendment.

To be heard by the City Council on September 5, 2001.

(12:02 - 12:08) 4 - 1810

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ITEM

ACTION

**Z-0068-85(56) - CITY OF LAS VEGAS ON
BEHALF OF HY-RAY DEVELOPMENT LIMITED
LIABILITY COMPANY**

APPROVED

Public Works

12. Construct all incomplete half-street improvements (sidewalk), if any, on Box Canyon Drive adjacent to this site concurrent with on-site development activities.

13. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a and shall be aligned opposite to or offset a distance acceptable to the Traffic Engineer from existing driveways.

14. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits. Provide and improve all drainageways as recommended in the approved drainage plan/study.

15. Site development to comply with all applicable Conditions of Approval for Z-68-85 and all other subsequent site-related actions.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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ITEM

ACTION

C-2.

**Z-0102-96(5) - CUMORAH CREDIT UNION ON
BEHALF OF HADFIELD DEVELOPMENT INC.**

Request for a Site Development Plan Review and a Reduction of the Perimeter and Parking Lot Landscaping Requirements FOR A PROPOSED 6,277 SQUARE FOOT OFFICE BUILDING ON 0.58 acre at 7660 West Sahara Avenue (APN: 163-03-415-007), U (Undeveloped) Zone [O (Office) General Plan Designation] under Resolution of Intent to P-R (Professional Office and Parking) Zone, Ward 1 (M. McDonald).

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. Submit a revised landscape plan to provide two additional trees and related shrubs in the landscape planter along the east property line, in lieu of providing the required landscape planter finger.
2. Submit a revised site plan to relocate the trash enclosure in compliance with Condition #9 of Rezoning Z-0102-96.
3. Submit a revised landscape plan depicting the 24-foot break in the landscape planter closed and landscaped similar to the remainder of the west property line, with groundcover, shrubs, and a least one 24-inch box tree.
4. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

**Buckley -
APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Unanimous
(One Seat Vacant)**

LAURA MARTIN, Planning and Development, stated this is a site within the Cumorah Center commercial subdivision. The building is depicted in the northwest end of the site with the parking along the east side of the building. There is one 20 foot wide driveway along the south portion of this site that leads to the Cumorah Court private cul-de-sac road.

The submitted elevations depict a predominantly square building with a flat metal roof finished in tan stucco with brown colored trim and corniced edges. The stepped back entry way to the office building features a corniced molding with accent trim.

The partial reduction in the perimeter landscaping is appropriate. The south and west property lines are interior to the subdivision adjacent to office property. However, staff has recommended a condition to provide one landscape finger island containing one 24-inch box tree and shrubs and ground cover as required by the Las Vegas Urban Design Guidelines and Standards in the parking area adjacent to the east property line. The original zoning case imposed a condition to provide a minimum of 25 foot wide landscape planter which also includes unimproved sidewalk area along Via Olivero Avenue and install 24 inch box trees 30 feet on center with berms, boulders, shrubs and ground cover. The 24-inch box trees are spaced 35 to 40 feet on center. Therefore, there is a condition to revise the landscape plan to comply with the original landscape condition. Staff recommended approval, subject to the conditions.

MARK SANBERG, Sanberg Group Architects, 1882 Woodhaven Drive, appeared to represent Hadfield Development, Inc. He concurred with the conditions.

To be heard by the City Council on September 5, 2001.

(12:08 - 12:11) 4 - 2060

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ITEM

ACTION

**Z-0102-96(5) - CUMORAH CREDIT UNION ON
BEHALF OF HADFIELD DEVELOPMENT INC.**

APPROVED

5. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

11. All City Code requirements and design standards of all City departments must be satisfied.

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ITEM

ACTION

**Z-0102-96(5) - CUMORAH CREDIT UNION ON
BEHALF OF HADFIELD DEVELOPMENT INC.**

APPROVED

Public Works

12. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits. Provide and improve all drainageways as recommended in the approved drainage plan/study.

13. Site development to comply with all applicable Conditions of Approval for Zoning Reclassification Z-102-96 and all other subsequent site-related actions.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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ITEM

ACTION

C-3.

Z-0071-99(5) - REBEL OIL COMPANY, INC.

Request for a Site Development Plan Review FOR A PROPOSED 3,758 square foot convenience store on 1.2 acres on the southeast corner of the intersection of Craig Road and Tenaya Way (APN: 138-03-701-019), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. If this Site Development Plan Review is not exercised within two years of the approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.
2. The elevations shall be revised to depict removal of the exterior ladder to the roof.
3. The applicant shall submit for staff review elevations of the gas canopies that indicate substantial similarities with the main building in terms of color and material.
4. A signage plan for all free-standing and wall signage for the entire commercial center shall be submitted for approval of Planning Commission and City Council prior to the issuance of a Certificate of Occupancy for any building on the site.
5. No utility vault exceeding 27 cubic feet in size may encroach into approved landscape areas along public street frontages for this pad site. Additionally, no waivers from required landscaping or approved signage standards shall be allowed due to the placement of any utility vaults.

Buckley -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NO. 2 DELETED.

Motion carried with McSwain abstaining inasmuch as Rebel Oil Company is a creditor of her company. (One Seat Vacant)

JOEL McCULLOCH, Planning and Development, stated this site plan depicts an orderly arrangement of buildings and parking areas and the subject pad is consistent with the overall approval for the commercial center. There is a condition requiring that the building elevations be consistent in terms of color and materials with the overall commercial center and that the gas canopies be consistent in terms of color and materials with the building. Staff recommended approval, subject to the conditions.

DANIEL LOERA, JR., Breslin Builders, 5525 Polaris Avenue, Suite B, appeared to represent the applicant. In regard to Condition No. 2, they have tried these stores with roof access ladders on the interior. After much dialogue with the owner and problems with Loss Control Prevention in their stores, they found there are numerous problems with accessing the roofs for maintenance of AC units, etc. In regard to Condition No. 3, they have elevations for the gas canopies. In regard to Condition No. 9, this is a pad site and the access drives, etc. have been submitted and approved with the master overall development. They have already been installed and inspected. They don't have a problem with on-site circulation, but want the redesign of driveways to be deleted in Condition No. 9.

DAPHNEE LEGARZA, Public Works, responded that because the driveways are existing there is no objection that they are not going to require any replacement or movement of the driveways. However, they would like the condition to remain so they may place requirements on the entrance to the driveways.

MR. McCULLOCH said staff has not problem in deleting Condition No. 2.

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ITEM

ACTION

Z-0071-99(5) - REBEL OIL COMPANY, INC.

6. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed buildings. Lighting standards within the parking lots shall utilize 'shoe-box' fixtures and downward-directed lights.

7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets

8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

Public Works

9. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first.

10. In accordance with recorded Parcel Map 98-37, this pad site shall have perpetual common access to all driveways connecting the overall site to the abutting public streets.

11. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

MR. LOERA requested Condition No. 11 be amended to have substantial conformance to the original drainage study that was recently approved. MS. LEGARZA said the Flood Control Section would need a letter from the applicant to verify that nothing has changed.

COMMISSIONER McSWAIN said she would be abstaining on this item because Rebel Oil Company is one of her creditors.

This is final action.

(12:11 - 12:19) 4 - 2200

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ITEM

ACTION

Z-0071-99(5) - REBEL OIL COMPANY, INC.

APPROVED

12. Site development to comply with the recommendations of the approved Traffic Impact Analysis and all applicable Conditions of Approval for Zoning Reclassification Z-71-99, the Craig and Tenaya (Commercial Subdivision) and all other subsequent site-related actions.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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ITEM

ACTION

C-4.

SD-0042-01 - EBENEZER CHURCH OF GOD IN CHRIST

Request for a Site Development Plan Review and Reduction of Required Perimeter Landscaping Requirements FOR A PROPOSED OFF-SITE PARKING LOT (17 PARKING SPACES) on 0.2 acre on the southeast corner of the intersection of Concord Street and Bartlett Avenue (APN: 139-21-510-244), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Weekly).

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. Revise the parking layout to provide for backing out space for the regular parking spaces located at the south end of the lot by extending the length of the drive aisle several feet.
2. Submit a revise landscape plan to provide two 24-inch box trees and shrubs and groundcover that meet the requirements of the Las Vegas Urban Design Guidelines and Standards in the triangular portion located adjacent to the east property line.
3. Revise the plant palette to provide Mondel Pines instead of Pissard Plums and plant a species of Juniper with dark-green to blue-green foliage.
4. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.

Public Works

5. Dedicate a 15-foot radius on the northeast corner of Concord Street and the Balzar Avenue Roundabout prior to the issuance of any permits.

**Goynes -
APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Motion carried with Quinn excused.
(One Seat Vacant)**

LAURA MARTIN, Planning and Development, stated this parking lot will serve as overflow parking for the Ebenezer Church of God in Christ located directly to the north. The off-site parking lot will provide 17 parking spaces with a 24-foot wide drive aisle. Ten-foot wide drive aisles are proposed along the street frontages and eight foot wide planters along the side property line. The requested reduction in perimeter landscaping is appropriate. A triangular piece adjacent to the east landscape planter does not include any landscaping. Staff recommended a condition to provide two 24-inch box trees, shrubs and ground cover that meet the requirements of the Las Vegas Urban Design Guidelines and Standards. This site layout is reasonable, but there is a condition to revise the parking layout for backing out space for regular parking spaces at the south end of the lot by extending the length of the drive aisle several feet. Staff recommended approval, subject to the conditions.

LEONARD FOLMAR, 9400 Grand Gate, appeared to represent the church. He concurred with staff's conditions.

NOTE: COMMISSIONER QUINN left the meeting at 12:19 P.M.

This is final action.

(12:19 - 12:21) 4 - 2560

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ITEM

ACTION

SD-0042-01 - EBENEZER CHURCH OF GOD IN CHRIST

APPROVED

6. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

7. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with current City design standards.

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer. We note that this site is within a FEMA "AO Flood Zone".

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ITEM

ACTION

SD-0042-01 - EBENEZER CHURCH OF GOD IN CHRIST

APPROVED

7. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with current City design standards.

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer. We note that this site is within a FEMA "AO Flood Zone".

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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ITEM

ACTION

C-5.

**SD-0045-01 - JAMES AND BEVERLY ROGERS,
ET AL ON BEHALF OF SUNBELT
COMMUNICATIONS**

Request for a Site Development Plan Review and a Reduction in the Required Perimeter Landscaping Requirements FOR A PROPOSED 22,500 SQUARE FOOT AUTO STORAGE BUILDING on 3.31 acres at 1608 East Gragson Avenue (APN: 139-26-201-018), C-V (Civic) Zone, Ward 5 (Weekly).

STAFF REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE AUGUST 23, 2001 PLANNING COMMISSION MEETING

**Truesdell -
ABEYANCE TO THE AUGUST 9, 2001 PLANNING
COMMISSION MEETING.**

**Unanimous
(One Seat Vacant)**

JOEL McCULLOCH, Planning and Development, stated staff would like to have this item held in abeyance to the August 23, 2001 meeting to allow staff time to meet with the applicant and review any revised materials.

There was no one present to represent this application.

MR. McCULLOCH felt this item could be heard at the August 9, 2001 meeting.

To be heard by the Planning Commission on August 9, 2001.

(6:30 - 6:32) 1 - 900

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ITEM

ACTION

C-6.

SD-0046-01 - SEVEN TWENTY LAND & BUILDING CORPORATION

Request for a Site Development Plan Review and for a Reduction of the Perimeter and Parking Lot Landscaping Requirements FOR A PROPOSED PARKING LOT at 3000 South Valley View Boulevard (APN: 162-08-301-001), M (Industrial) Zone, Ward 1 (M. McDonald).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Required six-month review to determine the use of the paved lot.
2. If the paved lot is utilized for parking the applicant shall submit another Site Development Plan Review application to include parking lot striping and landscape finger islands, planted with one tree per every six spaces, as required by the City of Las Vegas Urban Design Guidelines and Standards, subject to review by the Planning and Development Department.
3. Submit a revised landscape plan to provide fifteen-foot wide landscape planter along Valley View Boulevard and to widen the existing five-foot planter along Meade Avenue to fifteen feet. Provide 24-inch box trees spaced twenty-feet on center with shrubs and groundcover that meet the requirements of the Las Vegas Urban Design Guidelines and Standards.
4. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.

Buckley -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NO. 2 DELETED AND CONDITION NO. 3 AMENDED TO HAVE 15 FEET OF LANDSCAPING ALONG VALLEY VIEW BOULEVARD AND 5 FEET ALONG MEADE AVENUE.

**Motion carried with Quinn excused.
(One Seat Vacant)**

LAURA MARTIN, Planning and Development, stated this lot has to be paved only for dust control purposes and will not be used for parking. Staff is concerned that once the lot is paved parking will occur in the lot. There is a condition to require a six-month review to determine if the paved lot is utilized for parking. If so, an additional Site Development Plan Review would be required to incorporate parking lot striping, as well as additional landscape provisions. The applicant is requesting a reduction of the perimeter and parking lot landscape requirements. There is no adequate justification for this request since parking is not an anticipated use for the lot. There are no physical restraints to provide 15-foot wide landscape planters along the street frontages. However, staff finds a waiver of the required 8-foot wide landscape planter along the side property line to be appropriate. There is a condition to provide a 15-foot wide landscape planter along Valley View Boulevard and to widen the existing 5-foot wide planter along Meade Avenue to 15 feet. All planters along the street frontage should be in conformance with the Las Vegas Urban Design Guidelines and Standards planting requirements. If the applicant is using this lot for parking, then this item should be held in abeyance to allow time for the applicant to submit a site plan. Staff recommended approval, subject to the conditions.

CHRIS HARRISON, K.O. Construction, 2650 Celebrate Court, Henderson, Nevada, said this lot is primarily being paved for dust control and training purposes for the Stage Hands Union, which is located on this corner. In regard to Condition No. 2, the landscaping will be a hindrance for the stage hands training in three to five years time when a building is constructed on this property. Also, he objected to the fifteen feet of landscaping along Valley View and Meade. A lot of the businesses have minimal landscaping or none at all in this industrial area, but they would be willing to put 5 feet of landscaping along Valley View and Meade.

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ITEM

ACTION

SD-0046-01 - SEVEN TWENTY LAND & BUILDING CORPORATION

Public Works

5. Dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the northeast corner of Valley View Boulevard and Meade Avenue prior to the issuance of any permits.

6. Grant a traffic signal chord easement located behind the 25-foot radius on the northeast corner of Valley View Boulevard and Meade Avenue prior to the issuance of any permits. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in preparing the appropriate documents.

7. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

8. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

9. Hard surface or landscape and maintain all unimproved right-of-way on Valley View Boulevard adjacent to this site.

10. Submit an Encroachment Agreement for all landscaping or private improvements, if any, located in the Valley View Boulevard public right-of-way adjacent to this site prior to occupancy of this site.

NOTICES MAILED N/A
APPROVALS 0
PROTESTS 0

STEVE MATTHEWS, President of Stage Hands Local 720, 6420 East Tropicana Avenue, #33, appeared stating this is a dust bowl for the area. It is a possibility there could be cars parked on this lot when they have a union meeting. When they are training anywhere from 50 to 100 persons attend.

COMMISSIONER BUCKLEY felt there should be landscaping around the edge of the property. The City has been lenient on landscaping for this area.

MR. HARRISON said they would be willing to put in 15 feet of landscaping along Valley View and 5 feet along Meade.

This is final action.

(12:21 - 12:36) 4 - 2680

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ITEM

ACTION

D.

DIRECTOR'S BUSINESS ITEMS:

D-1.

ABEYANCE - TA-0015-01 - CITY OF LAS VEGAS

Discussion and possible Action to Amend Title 19A.04.010 Land Use Tables to expand the types of animals allowed by the Small Livestock Farming (Cows/Horses) permitted use category, to amend 19A.04.050 Special Uses to establish the criteria that must be met for the Special Use Permit, and to Amend Title 19A.20.020 Words and Terms Defined to expand the definition for Small Livestock Farming (Cows/Horses).

STAFF RECOMMENDATION: NONE. If Approved, staff recommends the following changes:

Delete Livestock Farming (Bovines/Horses) from the Land Use Table and Definitions section of Title 19A.

Add Livestock Farming (Small), Livestock Farming (Medium), and Livestock Farming (Large) to the Land Use Table as a Special Use Permit in the U (Undeveloped), R-E (Residence Estates), and R-A (Ranch Acres) Zoning Districts.

Add Definitions as follows: Livestock Farming (Small) – the raising or keeping of domesticated animals for recreational use or consumption whose weight at maturity does not generally exceed fifty pounds, such as rabbits, peacocks, chickens, turkey, chinchillas, mink, and similar animals.

Buckley -

APPROVED

Motion carried with Quinn excused.

(One Seat Vacant)

JOEL McCULLOCH, Planning and Development, stated this request is to allow certain types of animals in the city on a limited basis. They will be allowed via a Special Use Permit in the U, RE and RA zoning districts. Three new categories would be added to the zoning code: Live Stock Farming (Small), which is up to 50 lbs., Live Stock Farming (Medium), which is up to 50 lbs, and Live Stock Farming (Large), which is over 250 lbs. The animals would only be allowed north of Cheyenne Avenue and only within certain parameters. Staff has no recommendation.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be forwarded to the City Council in Ordinance form.

(12:36 - 12:38) 4 - 3410

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ACTION

ABEYANCE - TA-0015-01 - CITY OF LAS VEGAS

APPROVED

Livestock Farming (Medium) - the raising or keeping of domesticated animals for recreational use or consumption whose weight at maturity generally exceeds fifty pounds, but does not generally exceed 250 pounds, such as goats, sheep, emus, rheas, and small ponies.

Livestock Farming (Large) - the raising or keeping of domesticated animals for recreational use or consumption whose weight at maturity generally exceeds 250 pounds, such as ostriches, camels, bovines, horses, llamas, donkeys, and mules.

Add to Title 19A.04.050 Special Use Permits the following categories and conditions.

Livestock Farming (Small) [U, R-E, R-A]

1. Must be accessory to a residential principal use.
2. Maximum of 20 animals per property.
3. For owners use only.
4. No on-premises pelting.
5. Minimum lot size is 1.25 acres.
6. The keeping of these animals is not allowed south of Cheyenne Avenue.

Livestock Farming (Medium) [U, R-E, R-A]

1. Must be accessory to a residential principal use.
2. Maximum of 25 animals per property including large and medium.
3. For owners use only.
4. Two animals per 10,000 square feet of lot area.
5. Minimum lot size is 1.25 acres.
6. The keeping of these animals is not allowed south of Cheyenne Avenue.

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ABEYANCE - TA-0015-01 - CITY OF LAS VEGAS

APPROVED

Livestock Farming (Large) [U, R-E, R-A]

1. Must be accessory to a residential principal use.
2. Maximum of 25 animals per property including large and medium.
3. For owners use only.
4. Two animals per 10,000 square feet of lot area.
5. Minimum lot size is 1.25 acres.
6. The keeping of these animals is not allowed south of Cheyenne Avenue.

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ITEM

ACTION

D-2.

TA-0018-01 - CITY OF LAS VEGAS

Discussion and possible action to Amend Title 19A.04 Table 2 Land Use Table to add Hypnotherapy/Hypnotherapist as a permitted use in all office, commercial, and industrial zoning districts and to amend Title 19A.20.020 Definitions to add a definition for Hypnotherapy/hypnotherapist.

STAFF RECOMMENDATION: APPROVAL of the following changes to Title 19A:

Add Hypnotherapist/Hypnotherapy to Title 19A.04.010 as a permitted use in the P-R (Professional Office and Parking), NS (Neighborhood Commercial), C-1 (Limited Commercial), C-2 (General Commercial), C-M (Commercial/Industrial), and M (Industrial) zoning districts.

Add the following definitions to Title 19A.20.020 Definitions:

Hypnotherapist - A mental health professional licensed by the State of Nevada to administer psychotherapeutic treatment through hypnosis. May train clients in self-hypnosis conditioning.

Hypnotherapy - Psychotherapeutic treatment, utilizing hypnosis administered by a mental health professional trained in hypnotherapy, designed to treat problems and make desired behavior changes.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 1

**Buckley -
APPROVED
Motion carried with Quinn excused.
(One Seat Vacant)**

JOEL McCULLOCH, Planning and Development, stated this amendment is to add Hypnotherapy and Hypnotherapist to the allowable land uses in the Zoning Code. One of the requirements is that the individual has to be licensed by the State of Nevada as a hypnotherapist. Staff recommended approval.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be forwarded to the City Council in Ordinance form.

(12:38 - 12:39) 4 - 3480

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ITEM

ACTION

D-3.

TA-0019-01 - CITY OF LAS VEGAS

Discussion and possible action to Amend Title 19A.16.030(A)(2) Allowable Expansion to allow in certain circumstances a use considered to be non-conforming by virtue of a separation requirement to be expanded and/or re-built in a re-development circumstance.

STAFF RECOMMENDATION: Approval of the following changes to Title 19A:

Add to Title 19A.16.030(A)(1) Expansion of Use (e) A protected use was established within the separation distance (400 foot and 1,500 foot only) after the restricted use was established.

Add to Title 19A.16.030(A)(2) Allowable Expansion, the phrase expansion/re-development so that the section reads as follows:

If the proposed expansion/re-development of a non-conforming use qualifies under subsection (1) of this section (A) and no Variances from (or Waiver of) a separation requirement has previously been granted for the property, the non-conforming use may be expanded/re-developed if the proposed expansion/redevelopment:

1. Will not increase the size or extent of the use by more than 50%; and
2. Will not require a Variance or Waiver regarding any other provisions of Title 19A, including those that pertain to parking, landscaping, and residential adjacency requirement.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 1

**Buckley -
APPROVED
Motion carried with Quinn excused.
(One Seat Vacant)**

JOEL McCULLOCH, Planning and Development, stated this amendment is to expand on Ordinance 5294, which allowed expansion of a non-conforming use under certain circumstances. This amendment will allow what had been accomplished under the previous bill, but will also allow the non-conforming use to be torn down and rebuilt in certain circumstances. Staff recommended approval.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be forwarded to the City Council in Ordinance form.

(12:39 - 12:40) 4 - 3570

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ITEM

ACTION

D-4.

TA-0020-01 - CITY OF LAS VEGAS

Discussion and possible action to Amend Title 19A.18.070(J)(2) to clarify which applications are final action by the Planning Commission and City Council.

STAFF RECOMMENDATION: APPROVAL of the following changes to Title 19A:

Change Title 19A.18.070(J)(2) to read as follows:

A decision by the Planning Commission on any Variance that is unrelated to any other development proposal, excepting requests for parking reductions or existing buildings or structures, are considered final action by the Planning Commission at the expiration of 10 days after the date of the decision unless, within that period, a member of the City Council requests that the item be forwarded to the Council, or an aggrieved person appeals the decision by written request filed with the City Clerk. All Variance requests that are related to another development proposal (i.e. Rezoning, Special use Permit, Site Development Plan Review) are considered as a recommendation by the Planning Commission to the City Council, who are final action on the item. In addition, any Variance request for a reduction in required parking or for an existing building or structure are considered as a recommendation by the Planning Commission to the City Council, who are final action on the item.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 1

PROTESTS 0

Buckley -

APPROVED

Motion carried with Quinn excused.

(One Seat Vacant)

JOEL McCULLOCH, Planning and Development, stated the decision by the Planning Commission on any Variance that is unrelated to any other development proposal, except for requests for parking reductions or existing buildings or structures, are considered final action by the Planning Commission at the expiration of ten days after the date of the decision, unless within that period a member of the City Council requests that that item be forwarded to the City Council or an aggrieved person appeals the decision by written request filed with the City Clerk. All Variance requests that are related to another development proposal, i.e., Rezoning, Special Use Permits, Site Development Plan Review, are considered as a recommendation by the Planning Commission to the City Council for a final action, unless the Planning Commission has final action on a related item. In that case, the Planning Commission will also have final action on the Variance. In addition, any Variance requests for reduction in required parking or for an existing building or structure is considered as a recommendation by the Planning Commission to the City Council for final action on the item.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be forwarded to the City Council in Ordinance form.

(12:40 - 12:41) 4 - 3620

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ACTION

D-5.

TA-0021-01 - CITY OF LAS VEGAS

Discussion and possible action to Amend 19A.18.040, Title 19A.18.060, Title 19A.18.070, and Title 19A.18.080 to Amend the required notification areas for Zone Changes, Special Use Permits, and Variances and to allow a 10 percent deviation from certain development standards administratively.

STAFF RECOMMENDATION: APPROVAL of the following changes to Title 19A:

Amend Title 19A.18.040(H)(2) Notice to read as follows:

Notice Provided. Notice of the time, place, and purpose of the hearing must be given at least ten days before the hearing by:

Publishing the notice in a newspaper of general circulation within the City

Mailing a copy of the notice to:

The applicant;

Each owner of real property located within 750 feet of the property described in the application, including a project of regional significance as defined in NRS 278.0542;

Each tenant of any mobile home park that is located within 750 feet of the property described in the application, excepting a project of regional significance as defined in NRS 278.0542;

Each owner of at least 30 separate property owners nearest to the property described in the application to the extent this notice does not duplicate the notice otherwise required by this section;

Buckley -

APPROVED

**Motion carried with Quinn excused.
(One Seat Vacant)**

JOEL McCULLOCH, Planning and Development, stated this amendment is being proposed to bring the City in conformance with the recently passed Assembly Bill 553, which deals with the required notifications for certain zoning items. The changes include a requirement that 30 separate property owners nearest the property described in the application must be noticed. Also, any requests for an alcohol related use must have notification provided of 1,500 feet of the proposed location. Also, currently under certain circumstances there can be an administrative approval of some Variances that are less than 20%. That has been reduced to 10% under the Assembly Bill. Staff recommended approval.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, felt if the deviation is to bring more people into the notification zone, he would be in agreement, but if it is to eliminate people from the notification zone, that would not be acceptable.

MR. McCULLOCH responded that the 10% separation has to do with setbacks, not notification areas.

CHAIRMAN GALATI declared the Public Hearing closed.

To be forwarded to the City Council in Ordinance form.

(12:41 - 12:43) 4 - 3740

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ITEM

ACTION

TA-0021-01 - CITY OF LAS VEGAS

APPROVED

Any advisory board which has been established for the affected area by the City Council; and

The president or head of any registered local neighborhood organization whose organization boundaries are located within minimum of one mile of the property described in the application.

Amend Title 19A.18.060(G)(2) Notice to read as follows:

Notice Provided. Notice of the time, place, and purpose of the hearing must be given at least ten days before the hearing by:

Publishing the notice in a newspaper of general circulation within the City;

Mailing a copy of the notice to:

The applicant;

Each owner of real property located within 500 feet of the property described in the application, excepting a request for an establishment that sells liquor, in which case each owner of real property within 1,500 feet of the property described in the application;

Each tenant of any mobile home park that is located within 500 feet of the property described in the application, excepting a request for an establishment that sells liquor, in which case each owner of real property within 1,500 feet of the property described in the application;

Each owner of at least 30 separate property owners nearest to the property described in the application to the extent this notice does not duplicate the notice otherwise required by this section;

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ACTION

TA-0021-01 - CITY OF LAS VEGAS

APPROVED

Any advisory board which has been established for the affected area by the City Council; and

The president or head of any registered local neighborhood organization whose organization boundaries are located within minimum of one mile of the property described in the application.

Amend Title 19A.18.070 (G) (2) Notice to read as follows:

Notice Provided. Notice of the time, place, and purpose of the hearing must be given at least ten days before the hearing by:

Publishing the notice in a newspaper of general circulation within the City;

Mailing a copy of the notice to:

The applicant;

Each owner of real property located within 500 feet of the property described in the application;

Each tenant of any mobile home park that is located within 500 feet of the property described in the application;

Each owner of at least 30 separate property owners nearest to the property described in the application to the extent this notice does not duplicate the notice otherwise required by this section;

Any advisory board which has been established for the affected area by the City Council; and

The president or head of any registered local neighborhood organization whose organization boundaries are located within minimum of one mile of the property described in the application.

Amend Title 19A.18.080 Administrative Deviations to allow only deviations of 10 % or less.

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ACTION

E.

CITIZENS PARTICIPATION:

THE PLANNING COMMISSION CANNOT ACT UPON ITEMS RAISED UNDER THIS PORTION OF THE AGENDA UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

ADJOURNMENT:

/lo

There was no one present to speak under this portion of the agenda.

There being no further business to come before the City Planning Commission, the meeting adjourned at 12:43 A. M.

PLANNING AND DEVELOPMENT DEPARTMENT

LINDA OWENS, DEPUTY CITY CLERK